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THE EFFECTS OF THE CESSATION OF EXCHANGE  
OF PRISONERS DURING THE CIVIL WAR

A thesis presented to the Faculty of the U.S. Army  
Command and General Staff College in partial  
fulfillment of the requirements for the  
degree

MASTER OF MILITARY ART AND SCIENCE

by

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B.S., United States Military Academy,  
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The opinions and conclusions expressed herein are those of the student author and do not necessarily represent the views of the U.S. Army Command and General Staff College or any other governmental agency. (References to this study should include the foregoing statement.)

## ABSTRACT

THE EFFECTS OF THE CESSATION OF EXCHANGE OF PRISONERS DURING THE CIVIL WAR by MAJ Donald R. Pierce, USA, 113 pages.

This study examines the effects of halting the exchanges of prisoners during the American Civil War. When exchanges were ceased by General Grant in April 1864, both the Union and Confederate Armies were thereafter deprived of a badly needed source of manpower. In addition, the need for fighting men in the North persuaded the Federal Government to include a much larger number of negro regiments in the front lines of battles.

When the Civil War began, prisoner exchange was an accepted practice of international law. Initially exchanges were conducted on an informal basis, but a cartel was signed in July 1862. During the first three years of the war many captured Confederate soldiers returned via the exchange process and fought again. When General Grant became General-in-Chief of the Union Army in early 1864, he was aware of the South's manpower problems, and as a matter of course ordered exchanges ceased.

The paper examines the effects this cessation had on both the Union and Confederate forces. The halt of exchanges denied the Union and Confederacy badly needed manpower. In addition, at the height of abolitionist pressure to enlist more negroes, the Union Army placed into battle many more negro regiments than ever before. The strategy employed by General Grant supported his plan to defeat the Confederate armies in the field and bring the war to close.

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## CHAPTER ONE

### INTRODUCTION

The treatment and disposition of prisoners of war has changed dramatically throughout history. Execution, torture, and slavery have given way to imprisonment, ransom, and exchange in most of the industrialized world. During the American Civil War, Union and Confederate commanders exchanged or paroled prisoners on a small scale during the first year of the war. When a cartel of exchange was signed in 1862, exchanges and paroles occurred formally and on a larger scale, at least until negotiations began to disintegrate. To understand the conventions observed during the Civil War it is important to look at the historical treatment of prisoners, the customs in previous civil wars, and some of the agreements the United States made with other nations prior to the Civil War. The focus will be mainly on Europe, since that is where most of the usages that were observed in America from 1861 to 1865 originated.

Prior to the Middle Ages, capture placed the victim at the disposal of the victor. Frequently, the conquerors killed their captives immediately or offered them as sacrifices to the gods. When the Romans battled the Tarquins, the latter sacrificed three hundred and seven

captured Romans. In turn, the Romans, after conquering Tarquinii, "beat with rods and beheaded three hundred and forty-eight of the captives selected from a larger number."<sup>1</sup> Egyptian and Assyrian bas-reliefs graphically portrayed the inhuman manner in which prisoners of war were treated . . . . Long files of captives are led to the feet of the conqueror, to be butchered by his executioners or to be slain by his own hand.<sup>2</sup>

Enslaving captives was also common during this period. The Romans put captured enemies to work cultivating fields. Many prisoners, rather than being kept by the victors, were sold to earn revenues, as Caesar did with Belgian captives after his second invasion of Gaul. The ancient Ayrans of India believed that it was better to allow prisoners to live, to harm neither "the enemy who joined his hands to ask for mercy nor the defenceless."<sup>3</sup> The ancient Chinese did not always kill their prisoners, as reflected in the teachings of Sun Tzu that "captured soldiers should be kindly treated and kept."<sup>4</sup>

Several developments during the Middle Ages effected a general move away from slavery. Strong governments were necessary to protect the wealth in slaves, and not many powerful governments existed during this period. The status of slaves who had been used to work the fields changed as slavery slowly emerged into the serf system. Cities became smaller, and many disappeared, along with the slaves in those cities.<sup>5</sup>

The need for revenues did not wane, however, so the practice of ransom, allowing prisoners to buy their freedom, emerged from the convention of slavery. The influence of Christianity in the Middle Ages enhanced this trend toward ransoming and away from slavery. As early as 805 A.D., Aaron the Just, a Kelt prince fighting against the encroachment of Christianity, entered into an agreement with the Emperor in Constantinople to exchange or ransom prisoners.<sup>6</sup> The usages of slavery and selling captives did not disappear completely, however. For example, when Philip Augustus, King of France, captured Lille in 1213, he not only sold the captured soldiers, but all the inhabitants as well.<sup>7</sup>

The wars of the knights saw a more humane treatment of prisoners of war. As "it was inconceivable to reduce a knight to slavery," internment of captives for purposes of servitude became less popular.<sup>8</sup> Chivalry and the respect for honor in battle had much to do with this change. Even after the age of the knights, France displayed its willingness to treat prisoners of war as soldiers who had met with misfortune. In the fourteenth century, the idea of fixed prices for ransoms emerged. However, in 1601, Henry IV of France and the Duke of Savoy agreed that captives would be sent to their homes and no ransoms would be paid. They were essentially out of the war when they went home.<sup>9</sup> By the Treaty of Westphalia in 1648, prisoners were released

without ransom at the close of the war.<sup>10</sup> However, the seventeenth century had its exceptions to this practice. When the Portuguese fought the Dutch in merchant wars in the late sixteenth century, they did not permit the ransoming of captives, but killed them outright.<sup>11</sup>

During the late sixteenth through eighteenth centuries, several lawyers, judges, and officials published numerous works on international law and rules of war. Having witnessed and studied the atrocities of the past, many of these writers recorded their thoughts about how war should be conducted. Probably the most notable Italian writer was Pierino Belli (1502-1575), who "recognized the custom of enslaving prisoners of war but condemned the practice of killing or cruelly treating them."<sup>12</sup> Franciscus Victoria (1480-1546), a professor at the University of Salamanca in Spain, condemned the killing of innocent persons, including women, children, and clergy.<sup>13</sup> The most famous jurist of these times was Hugo Grotius of Holland. Born in 1583, he became a successful lawyer and was appointed the chief magistrate of Rotterdam at the age of thirty. In 1625, Grotius published his famous De Jure Belli et Pacis, or Law of War and Peace. He referred to unnecessary sufferings of prisoners as violations of the laws of nature rather than infractions of accepted laws of war. "Captives should not be put to death," he wrote. As the custom of enslaving prisoners declined, Grotius's

opinion reflected that exchange of prisoners would be a better practice, or at least "let them be ransomed at a reasonable price."<sup>14</sup>

Although Grotius's writings certainly had some effect on the combatants in the Thirty Years War, that conflict was characterized by cruelty and bitterness. The period following 1648, however, was more humane in nature. In the war between the Dutch and English during the mid-1600s, officials were appointed by the two countries to return prisoners to their respective homelands. In June 1743, France and England signed a treaty fixing the ransom of officers. Each commander was given the opportunity to buy back his own men.<sup>15</sup>

In 1758, the Swiss lawyer Vattel published a book on international law and the usages of war, in which he disagreed with Grotius on the treatment of prisoners. He even went so far as to defend the custom of imprisonment and use of shackles, but that "those who held them (prisoners) in custody should be considerate and merciful to them as men who had fallen into misfortune."<sup>16</sup>

The civil wars in Europe tended to be more brutal than international clashes. Grotius blamed much of the savagery on the fact that internal conflicts and civil wars were not formally declared, and thus the two sides were in a sense not formal enemies. Men were more likely to kill the enemy since they did not have the right or the ability to

enslave the opposition. The civil war in the Netherlands was a "veritable struggle to the death."<sup>17</sup> The civil wars in England ran the gamut from savagery to mercy. In most cases when prisoners were taken, especially by the royalists, they were conscripted or allowed to change sides. However, in several cases, brutal war of the worst kind was conducted in attempts to annihilate the enemy rather than give quarter and take prisoners. Both sides resorted to retaliation: hangings for hangings and, in one case the sacking of an entire town, in which 1600 civilians were killed in retribution for a single hanging. In contrast, however, officers of higher rank were regularly exchanged for those of equal rank.<sup>18</sup>

About one hundred years later, the British turned their attention to the colonies in America in what England considered an insurrection. During the American Revolution, the treatment of prisoners of war by the Americans and British portrayed a disparity. The Americans tried to live up to the accepted usage of customary international law, while the British often fell to practices "permissible in quelling domestic disturbances."<sup>19</sup> The American Congress in 1776 resolved to build a wooden stockade enclosing log barracks for housing British and other prisoners. Congress required that "regard be had to the health and safe-keeping of the prisoners."<sup>20</sup> However, American prisoners were either shipped to England, maintained in inadequate facilities in

New York, or kept in prison ships in New York harbor. Congress also passed a resolution by which England should provide the funds to maintain British prisoners in American hands, while arrangements were made for the allotment of funds for the care of American detainees. American prisoners transported to England were not treated as well as prisoners from France, Spain, and Holland.<sup>21</sup> However, their situation paled in comparison to the estimated 20,000 Americans who died on British prison ships off the coast of America.<sup>22</sup>

During the War of Independence, exchanges of prisoners did take place, however. In the spring and summer of 1775, two such exchanges occurred. The attitude of Great Britain toward prisoners at that time was based upon British law which required that any prisoner be afforded a speedy trial or be released upon habeas corpus.<sup>23</sup> The British agreed to some exchanges, but elected to imprison and try for treason any former English subjects who had taken up arms against the crown. Colonel Ethan Allen was one of the first to be sent to England in irons to await trial as a traitor. When General Washington's second-in-command, Major General Charles Lee, was captured, he was held for trial as a deserter, having previously been commissioned in the British army. His trial was delayed, and he was eventually exchanged in 1778. In defense of the British, it must be understood that they were not prepared to hold a large

number of prisoners such as fell into their hands during the war.

Attempts at negotiating a cartel for exchange began in early 1776, but no agreement could be reached, and the negotiations ceased. England was unwilling to arrange a formal agreement at the national level for fear of relinquishing their right to try those prisoners whom they considered traitors. Exchanges continued during 1779-1780, although no cartel was ever signed. The British maintained the right to treat captured "'rebels' other than as prisoners of war" since they had never officially recognized the colonies as a sovereign nation. Finally, in 1782, an act of Parliament considered captured Americans as prisoners of war.<sup>24</sup>

The end of the eighteenth century bore more formal agreements between nations. England conducted a ransom agreement with France in 1780. In some instances nations who were not at war signed pacts. In 1785, the United States and Prussia signed such a document; perhaps "one of the earliest formal agreements concerning the treatment of prisoners of war concluded by nations not at war with each other."<sup>25</sup> France went so far as to establish a law of its own in 1792, in which prisoners

were declared to be in the safe-keeping, or custody, of the nation. With regard to the necessities of life, such as food, clothing, and shelter, they were placed on exactly the same footing as the soldiers of the nation who had made them prisoners.<sup>26</sup>

This concept would later appear as laws of both the Union and Confederate governments during the American Civil War. An additional French ordinance forty years later reminded officers that their soldiers were "to be generous toward prisoners, and that each is to be treated with the honors due his rank."<sup>27</sup>

Parole was another form in which captors could show mercy to their prisoners and relieve much of the need to house and care for them. Parole allowed a prisoner to be released on his own recognizance after giving his word not to take up arms against his captors until officially exchanged or released from that parole by the detaining state. Although suggested by Belli in 1558, the usage of parole did not occur on a regular basis until the latter part of the eighteenth century. During the American Revolution, both England and America often granted parole to officers of higher rank.

The American government endorsed several treaties with other countries with which they were not at war. In 1805, the United States signed an agreement with Tripoli that if war broke out neither side would enslave their prisoners, but would be exchanged for equivalent ranks or specified sums of money. An agreement with Morocco in 1856 reflected similar wording.<sup>28</sup>

The year 1812 saw wars between the United States and Great Britain, and between France and Russia. Russian and

French prisoners were generally treated with respect, although some Russians died at the hands of the French as Napoleon's forces retreated west, because they were seen either "as a burden and/or an actual danger."<sup>29</sup> One year after the War of 1812 began the American House of Representatives received a report claiming the substandard manner in which the British were providing for American prisoners. As in the Revolutionary War, Great Britain provided minimal rations, and the United States had to supplement with coffee, sugar, potatoes, and tobacco.<sup>30</sup> Evidence and writings indicate that the British considered captured enemy soldiers, particularly those born in the British empire, very much the same way they did during America's War of Independence. The only difference is the absence of the term "rebels."

When the American Civil War began in 1861, several historical documents had paved the road for proper and humane treatment of prisoners of war. The aforementioned French decree of 1792 established a common basis of exchange, essentially "man for man, grade for grade." The Franco-English agreement of 1798 followed the outline of that decree. A cartel signed in 1855 between England, France, and Russia established three categories of prisoners: first, general and superior officers; second, subordinate officers; third, non-commissioned officers and soldiers. The agreement stipulated exchanges would occur

"man-for-man, according to their categories." Further outlined were equivalents from other ranks for each category if the enemy had no prisoners available from the same category. For instance, thirty prisoners from the third category were equivalent to one from the first category.<sup>31</sup> In reference to status and maintenance, Congress dictated a standard in 1775 that the rations for enemy prisoners would be the same as that issued to continental troops.<sup>32</sup> Regulations were established in England in 1780, outlining requirements for care of sick and wounded in response to an epidemic in an English prison camp. The regulations essentially provided prisoners "the same care granted to members of the king's forces."<sup>33</sup>

Parole, exchanges, and the desire for humane treatment characterized the disposition of prisoners during the American Civil War. Although a formal agreement did not exist at the outbreak of hostilities some prisoner exchanges did occur locally between opposing commanders, and later between the two governments. On July 22, 1862, the Union and Confederate governments signed a cartel, and supervision of its terms became the responsibility of Agents of Exchange on each side. Robert Ould, a lawyer and former District Attorney for Washington D.C., represented the Confederacy. On July 27, 1862, United States Secretary of War, Edmond Stanton appointed Lorenzo Thomas, Adjutant General of the Army, as the Agent of Exchange for the Federal Government.<sup>34</sup>

In accordance with the Dix-Hill Cartel, so named for the two generals who met in 1862 to construct the document, prisoners were to be exchanged at City Point, Virginia in the East, and Vicksburg, Mississippi in the West. General exchanges began almost immediately. Thomas and Ould traded approximately three thousand soldiers and officers at Aiken's Landing, Virginia, on August 3, 1862. In early August, representatives from both sides met at Vicksburg to exchange the first of what would be sixteen thousand men by the middle of September.<sup>35</sup>

Exchanges occurred for awhile, though not on an extensive scale, and it was not long before problems arose. Many of these same problems existed before the cartel, and caused great difficulty in coordinating exchanges for the first year of the war. Accusations from both sides on the physical conditions of prisoners started debates and delays which continued for nearly eighteen months. According to Union officials, many of the Federal prisoners being returned were in feeble condition, resulting from extended stays and poor conditions in Southern prisons. For over a year both the Union and Confederate governments violated some aspect of the Dix-Hill cartel at one time or another. Somehow, usually by the urging and excellent diplomatic abilities of Ould, small-scale exchanges continued to occur.

Throughout most of the rest of 1862 and the beginning of 1863, the Confederacy maintained the advantage

in numbers of prisoners held, either in Southern prisons or on parole in the North. The Union victories at Gettysburg and Vicksburg in the summer of 1863, began to shift the advantage to the North. General Meade captured twelve thousand Confederates at Gettysburg, and Grant roughly thirty thousand at Vicksburg. Days later, Helena, Arkansas and Port Hudson, Louisiana fell, with twelve hundred and seven thousand Confederates surrendering, respectively.<sup>36</sup>

Grant immediately paroled all of his thirty thousand prisoners, and General Banks, of the Department of the Gulf, paroled nearly all those captured at Port Hudson. Both commanders believed they acted in accordance with the cartel, and paroling these prisoners relieved both from having to provide transport and large guard forces to move them north. A few days later, Secretary Stanton issued orders to deliver no more prisoners to City Point until further notice. He felt the returned Confederate prisoners would be used to bolster the defenses around Richmond. Ould and Ludlow, the agent of exchange now acting for the Union, debated on several issues, one being the validity of the Vicksburg and Port Hudson paroles, since Grant and Banks had not acted through proper exchange agents. Relations between the two disintegrated. Pressure grew from civilians throughout the north, especially relatives of Union prisoners suffering in below-standard prisons such as Andersonville, Georgia, and Libby in Richmond, Virginia. In

response, Stanton replaced Ludlow with Brigadier General Sullivan A. Meredith in the hopes of resuming exchanges. Pressure also came from other groups in the North. The Democrats cried for an end to the war, which meant more men were needed with which to win by superior numbers. Pressure also came from abolitionists wanting to see negroes in the army fighting for their own freedom. President Lincoln, among others, realized the existence of a large as yet untapped resource in the growing black population available to serve in the Union army. Large numbers of free blacks from both the north and the south, and former slaves were prepared to fight for a cause which had by now come to the forefront of the war--freedom. The cessation of exchanges and the need for replacements in the North led the Federal Government, specifically President Lincoln, to employ black soldiers on a large scale.

Though Meredith and Ould met on many occasions to discuss accounting of paroles and exchanges, little was accomplished. One of the major points of contention was the refusal on the part of the Confederates to consider captured black soldiers as prisoners of war. Though not many had been captured, those that had were returned to previous owners or sold as property. The Union demanded black Federal soldiers not be considered any different than white soldiers. Accusations, it seemed, were exchanged more often than prisoners. On November 15, 1863, Confederate Secretary

of War James Seddon declared, "All exchanges have now ceased with little apparent prospect of renewal."<sup>37</sup>

The stalemate continued. On November 18, General Benjamin Butler, Federal Commander of the Department of Virginia and North Carolina, and newly appointed Agent of Exchange, wrote to Secretary Stanton with a request to resume negotiations for exchange. His information from various sources convinced him that the Confederates would agree to an exchange. The Union held approximately 26,000 prisoners, while the Confederacy had 13,000.<sup>38</sup> General Butler's recommendation to Secretary Stanton was to propose to Robert Ould an exchange, man for man and officer for officer, until all Union soldiers suffering in Confederate prisons were returned. The excess of some 10,000 prisoners in the hands of the Union would then give them something substantial with which to bargain for the return of any colored soldiers and their officers still within Confederate hands. Butler's proposal was approved by the Secretary of War, and after notifying Mr. Ould, several small exchanges occurred during the next two months.

Despite limited success, Butler and Ould did not reach agreement to any great extent on behalf of their respective governments. On April 1, 1864, shortly after General Grant was appointed as commanding general of all Union forces, he visited General Butler at Fort Monroe. Butler advised him of the difficulties thus far experienced

in the exchange negotiations, and of the large number of Confederate prisoners still in Union prisons. On April 17, General Grant ordered all exchanges to cease.<sup>39</sup> Meanwhile, the public in the north, and Union prisoners themselves, were increasing pressure on the government to get all Union prisoners released and sent home. Prisoners in Andersonville, Georgia, submitted a petition to the Union government to "effect our speedy release, either on parole or by exchange." As they explained:

No one can know the horrors of imprisonment in crowded and filthy quarters but him who has endured it . . . . But hunger, filth, nakedness, squalor, and disease are as nothing compared with the heartsickness that wears prisoners down . . . .<sup>40</sup>

Letters from the public were also addressed to Lincoln. One example, from a concerned father whose son was in Andersonville wrote that his son:

has a family here consisting of a wife and two children in indigent circumstances . . . my said son and 30,000 more brave soldiers must perish unless the Government should relieve them by bringing about an exchange.<sup>41</sup>

The purpose for the cessation of exchanges is determinably linked to its effects. While Grant openly stated that he refused to exchange any more prisoners until the South agreed to include captured black soldiers, he more privately insisted that it would end the war more quickly.<sup>42</sup> He keenly recognized the lack of replacements available to the South, and strongly believed that released Confederate prisoners would quickly rearm and reenter the fight. The

continued internment of tens of thousands of Confederate prisoners denied the South many badly needed soldiers. The population of deployable white males in the South was significantly smaller than in the North. In addition, by 1864, desertion, casualties, and the inability to properly supply the soldiers had taken its toll on the Confederate armies.

Although the Union maintained an advantage in numbers there was an ever increasing need for replacements in the Union army as well. As the North expanded its stranglehold on the South, manning of ports and harbors, control of railroads and depots, and the greater numbers required to take the offensive demanded a larger force than ever before. As with the Confederacy, desertion and casualties took their toll on Federal strength. Gross abuses of the bounty and substitution laws among draftees aided in keeping the army below needed strength. Many Union prisoners had already died in Southern prisons, and many were still interned. The large number still in prison, should they be exchanged, would have provided many badly needed replacements. The effects of this cessation on the manning of both the Union and Confederate armies, and the significant increase in negro regiments in combat, are the central point of this paper.

## CHAPTER TWO

### EFFECTS ON THE CONFEDERATE ARMY

The decision by General Grant to halt further exchanges of prisoners as of April 17, 1864, amplified his strategy of using superior numbers to defeat the South.<sup>1</sup> The South had her own problems raising armies even without pressure from Grant and his forces. An inefficient but well-meaning Confederate Government often stifled the morale and desire of the men, either directly or indirectly, and failed in its attempts to feed and supply the armies effectively. Though it may have saved the army from extinction, conscription was partly responsible for the steady increase in desertions. Families on the home front felt the pinch of the Union blockade more each year. The soldiers at the front not only worried about their families, but about their own ability to eat, as the railroad system disintegrated in the face of overwork, inadequate maintenance, and Union raids and capture of key rail centers. State governments often pulled in one direction to uphold state rights, while the Confederate Government pulled another way in attempts to centrally control badly needed resources.

One of the South's critical resources was manpower, and the cessation of exchanges did not help the situation. There were over 26,000 Confederate soldiers in Union prisons when Grant officially halted exchanges.<sup>2</sup> He believed that, if exchanged, Southern soldiers would return to the ranks and continue the fight, thus needlessly prolonging the war. The suspension of exchanges also left tens of thousands of Union prisoners in Rebel camps, further burdening the Southern economy with the requirement to feed, house, and care for them.

The main purpose of this chapter is to examine the effects of General Grant's decision on the Confederacy's ability, or inability, to replenish her armies with men. Though only one of several reasons for the dwindling supply of Southern manpower, it was a critical one at a critical juncture. General Grant was very well aware of the decreased number of soldiers that Confederate generals could field by 1864, and consciously halted the exchanges as a matter of military strategy. He related to General Butler in early April 1864, that:

To continue exchanging upon parole the prisoners captured on one side and the other . . . would at least add from thirty to perhaps fifty percent to Lee's capability for resistance.<sup>3</sup>

According to the census of 1860, the population in the South was estimated at 9,000,000, of which 3,500,000 were slaves. The North boasted more than twice that at

around 22,000,000.<sup>4</sup> The number of men available for Confederate service at the outbreak of war amounted to less than one third that of the North, though, or approximately 1,000,000 and 3,500,000 to 4,000,000, respectively.<sup>5</sup> Some estimates for the North's recruitable men are a little higher, one at 4,010,000, allowing for European immigrants.<sup>6</sup> Regardless of the exact figure, the ratios still weighed heavily in favor of the Union.

After the First Battle of Bull Run in the summer of 1861, Presidents Lincoln and Davis used the lull in fighting to try to gain support from the border states and organize their armies. The base for the Confederate Army of eventually several hundred thousand was a lesser known Confederate Regular Army. Authorized by an act of the Provisional Congress on March 6, 1861, the Regular Army was to consist of a Corps of Engineers, one regiment of cavalry, six regiments of infantry, a Corps of Artillery, and various staff departments. However, confusion at the upper echelons of government made it difficult to distinguish between the Provisional Army, volunteers, and the regulars. As a result, the Regular Army never reached the authorized strength of 15,003 officers and men; indeed, it never exceeded 2,000. Appropriations originally established for the Regular Army were used to offset the cost of the Provisional Army, and the recruiting stations for the Regular Army were closed during the first summer.<sup>7</sup> In

response, the Confederate Congress authorized a provisional army of 100,000, and volunteers came forward with enthusiasm.<sup>8</sup> Shortly after the fall of Fort Sumter, the South had already enrolled 60,000 men.<sup>9</sup> Recruiting took place throughout the South, and even as far north as Baltimore, Maryland.

During the first year of the war the South enjoyed more victories than defeats. However, the winter of 1861-1862 resulted in the critical losses of Forts Henry and Donelson, Tennessee, and the threat by McClellan's army on the outskirts of Richmond. The number of volunteers diminished significantly as many of the soldiers already in the army became disillusioned with the prospect of a longer war than initially expected. A large percentage deserted or simply went home, feeling they had done their part. The end of 1861 saw a 21 percent absentee rate which rose to 30 percent by June 1862. The Confederate Congress responded by enacting conscription in April 1862.<sup>10</sup>

The Southern armies reached their peak strength in June 1863, just prior to the Battle of Gettysburg, reporting 261,000 present for duty throughout the Confederacy. From then on, the numbers declined, while the Union Army continued to grow until the spring of 1865.<sup>11</sup> Estimates of the total number of men who served in the Confederate Army vary widely, but a good estimate is between 850,000 and 900,000.<sup>12</sup> Examining the numbers on Confederate rolls

throughout the war only tells part of the story. By the end of 1861, approximately 326,000 were listed on the rolls, with a high-water mark registered in June 1863, of 473,000. As mentioned, only 261,000 were present for duty, due mainly to desertion and other forms of absenteeism. The final reports in 1865 showed a little less than 360,000 mustered, but less than 200,000 were counted during the final surrender.<sup>13</sup> Discussed in more detail later in this chapter, the percent of the force absent does not follow the same trend as the roster totals, but steadily increases throughout the war.

The myriad of reasons for the South's manpower problems have been briefly cited, but deserve more attention. With approximately 1,000,000 adult white males from which to draw, manpower should not have been a critical factor. An inefficient central government had much to do with it, as were the ineffective central functions of the War Department. The Conscription Act in the spring of 1862 attempted to offset diminishing numbers of volunteers, but exemption acts tacked on to it allowed many to escape duty. Attempts to lure men into the armies with bounties and substitutions opened the door for widespread corruption. The Conscription Act itself drove a wedge between the government in Richmond and state governments.

The War Department's Quartermaster and Commissary General Departments were disorganized and inefficiently

operated. Attempts were made to control the transportation resources from Richmond, but this was never done effectively. Roughly one third of the Southern population were slaves, but were not mobilized as a war resource until the middle of the war.

Confusion at upper echelons muddled the waters of the manpower pool from the beginning. The need for economic and industrial mobilization was often met at the expense of the requirement to mobilize the armies. Many of the initial volunteers were men of talent needed elsewhere. A member of Company D, 1st Virginia Infantry Regiment, wrote of the removal of many men from the regiment to serve special duties.

Most of the men of the regiment having a mercantile or mechanical education, contractors and those in charge of the Confederate offices were making applications to the War Department for some members of the regiment to fill positions of trust, or where mechanical skill was needed. As a rule the request was granted, and thus the Confederate War Department detailed the men faster than the officers could get new recruits.

To control the transportation system and attempt to monitor the movement of both military and civilian personnel throughout the South, the Confederate Congress adopted a passport system. Designed to identify and deal with stragglers, deserters, spies, and Union sympathizers, this system required manpower to ensure citizens had their passports. Thousands of men were employed to police railroads, cities, and other centers where they were deemed

needed by the Provost General. Public opinion grew steadily against the practice, as officers, civilians, and many government officials felt harassed. After the Conscription Act was passed in April 1862, the states banded together and agreed that the government should send all able-bodied men to the front, especially those wasted in the provost. The army itself was displeased when soldiers saw so many perfectly capable men not out fighting but harassing soldiers and citizens alike.<sup>15</sup>

Practices within the army were at times no better. Early volunteers often elected their own officers, believing it was their democratic right to do so. Although enthusiasm pervaded the army early in the war, discipline did not, as regimentation was counter to the soldiers' agrarian lifestyles. The professional military men in the army disagreed with the practice, but democratically-minded politicians, especially President Davis, upheld the convention. The elective process worked against efforts to mold an effective army. Secretary of War James A. Seddon referred to it as "subversive of subordination and discipline," and an Alabama congressman claimed one company was, for several months, ineffective due to men trying to agree on a lieutenant.<sup>16</sup>

Perhaps the most controversial act of the central government came in the form of conscription. In January 1862, Congress granted President Davis's request for power

to call on the states for additional men. The results, though beneficial, were not enough to overcome the impending departure of the one-year volunteers. In April 1862, the Confederate Congress passed the first conscription act in American history.<sup>17</sup> This act called for three-year enlistments, and those already in the Army and choosing not to serve beyond their one-year voluntary term were forced to either reenlist or be mustered out and then drafted. While this caused some grumbling among volunteers, it was accepted as a necessary evil.<sup>18</sup>

The act called for draft of able-bodied white males between eighteen and thirty-five for three years. Despite strong opposition by state rights' backers, the Congress overwhelmingly passed the act, regarding it as "necessary for military success."<sup>19</sup> President Davis addressed Congress in August 1862, recommending an additional law to include those white males "between the ages of thirty-five and forty-five" in answer to President Lincoln's "very large increase of forces recently called into the field."<sup>20</sup> This Congress did in September, and in February 1864, in response to the need for even more men, included those between seventeen and fifty years of age. Those seventeen and over forty-five, however, were to serve in local militias.<sup>21</sup> The drafts were not popular, but many men felt it more honorable to serve voluntarily than to be forced to serve. Volunteers already in the army were given thirty days to reenlist, and

were offered the privilege of forming their own companies.<sup>22</sup> While the draft disheartened many men in the service and even convinced some to desert, it did compel some to volunteer for service rather than be drafted.

Several reasons explain why the flow of volunteers ebbed by the spring of 1862. One-year enlistments were nearly up, men serving were tired of being away from home, and the prospect of fighting longer than expected did not appeal to them. Those who had balked at serving one-year terms did not want to now sign up for three-year terms. Reports of defeats in the western theater and General McClellan knocking at the gates of Richmond enhanced a "sense of impending doom."<sup>23</sup>

There was as much unrest at the upper levels of the War Department, as the position of Secretary of War changed hands several times during the war. The numerous Confederate war secretaries had their work cut out for them, not only dealing with President Davis and his desire to run everything that was war related, but in dealing with the various states who opposed conscription and central control of important resources. Leroy P. Walker of Alabama, Judah P. Benjamin, former Attorney General and future Secretary of State, and Brigadier General George W. Randolph, all filled this position at some time between the inception of the Confederacy and November 1862. President Davis then appointed James Seddon, who held office until just before

the close of the war. Of these, Benjamin and Seddon were probably best at smoothing ruffled feathers between Davis and the states. Among the causes of dissention were the exemption clauses that came with the draft laws.

Five days after President Davis signed the first conscription act, he signed an act delineating who was allowed exemption. The second conscription act of September 1862, added even more exemptions, and not until 1864 did Congress trim the list of exemptions significantly.<sup>24</sup>

Despite the fact that the draft of 1862 may have been "a severe blow to their morale," worse yet was their attitude toward those who sought to find a way out of serving.<sup>25</sup> Exemptions and substitutions provided a bounty of excuses. One controversial clause was the so-called "twenty-negro" law, relieving slaveowners and overseers with twenty or more slaves from service. Enacted in October 1862, the purpose of this statute was "to secure the proper police of the country."<sup>26</sup> More aptly put, the Old South was fearful of rebellion, the targets of which would have been the women and children had all the men gone to war.<sup>27</sup> What this law did, however, was to take the manpower,

and thus the earning power of the nonslaveholding families, who suffered great privations during the war. It left most of the manpower and thus the earning power of the slaveholding families, whose privations were usually much less severe.<sup>28</sup>

This practice, in part, led to the saying that it was "a rich man's war and poor man's fight."<sup>29</sup>

There were additional exemptions for such occupations as:

Confederate and state government officials, mail carriers, ferrymen, woolen and cotton laborers, railroad employees, newspaper printers, one apothecary per establishment, ministers, college professors, teachers of more than twenty pupils, all who worked in institutions for the deaf, dumb, or blind, and hospital nurses and attendants.<sup>30</sup>

Exemption classes like these provided opportunities for widespread abuse and fraud. Governors opposed to conscription expanded the size of their state governments. Schools sprang up where none existed before, and there were rumors of some setting up drugstores at crossroads with nothing more than "a few bottles of castor oil, some boxes of pills, and a soft-bottomed chair."<sup>31</sup> Regarded as a slap in the face by some soldiers in the army, the number of exemption classes increased in October 1862, to include

one editor per newspaper, shoemakers, blacksmiths, saltworkers, tanners, millers, wheelwrights, industrial workers, and all persons making munitions and war materials.<sup>32</sup>

These occupations were obviously important to the war effort for a country mobilizing both economically and industrially, but the abuses of the system due to the inability of the central government to properly control the numbers exempted hurt the South.

There were religious exemptions as well. Friends (Quakers), Dunkers (German Baptist Brethren), and Mennonites were the largest groups claiming conscientious objection to war based on religion.<sup>33</sup> Although the number of religious

conscientious objectors, was relatively small (only 300 or so), the number of exemptions in all other areas became alarmingly high.

President Davis addressed the Confederate Congress in late 1863 asking for curtailment of the exemption laws.<sup>34</sup> The following year Congress trimmed the list of exemption classes by half of the original.<sup>35</sup> In June 1864, Davis denied additional exemptions to magazine editors, and in November advised Congress to trim the amount of exemptions even more, targeting specifically those listed in the October 1862 act. In March 1865, when Congress wanted to exempt mechanics and artisans from even local militias, Davis argued that "while they are and should remain exempt from general service, no good cause is perceived why they would not . . . be organized for local defense."<sup>36</sup> At the same time, he protected his War Department, arguing to retain all in service since they were "instructed and trained" and would be "impossible immediately to replace."<sup>37</sup>

The convention of hiring substitutions to stand in for men not wanting to serve provided opportunity for abuse and financial speculation. As early as the fall of 1861 the War Department allowed the practice of substitution. Though exercised in the army during the Revolutionary War, and considered an age-old tradition, substitution fell prey to abuses by speculators and shirkers. Just after the enactment of the first draft, the number of substitutions

rose dramatically, and so did the cost. One North Carolina soldier offered up to \$1,000 for a substitute in June 1862, while a man in camp in South Carolina the following year paid \$2,000 for a fifty-three-year-old stand-in who "passed" the medical examination.<sup>38</sup> Brokerages to handle the supply and demand of substitutes sprang up, and newspapers carried their advertisements. This system, like the twenty-negro law, discriminated against those of meager financial means. Pressure from the public and military authorities led Congress to abolish the use of proxies in December 1863.<sup>39</sup>

The need for fighting men resulted in the closing of many Southern colleges. The University of Mississippi closed in 1861 for the duration of the war. The University of North Carolina received permission in 1863 to exempt its juniors and seniors, but the next year lost them to the military. When the president of the university voiced his opposition to the revocation of the exemption, President Davis told him that "Lee needed men for the army and they must be supplied from some source."<sup>40</sup>

Near the end of the first-year enlistments, the Confederate Government applied various tactics to induce men to volunteer or reenlist. In December 1861, an act was passed offering fifty dollars to volunteers who enlisted for three years. Those reenlisting were offered sixty-day furloughs with free transportation home and back again.<sup>41</sup>

Exactly how many men serve in the Confederate military through conscription is not known, but the final report from the superintendent of the Bureau of Conscription in February 1865, shows 117,121 men had been drafted east of the Mississippi River.<sup>42</sup> The number of white males who, either through exemptions or substitutions, dodged military service is not known for certain, but between General Braxton Bragg's estimate of 150,000 and Secretary of War Seddon's of 50,000, the truth would surely reveal a substantial number.<sup>43</sup>

Estimates of over 100,000 deserters during the course of the war have been cited elsewhere.<sup>44</sup> Absences early in the war were not due to a lack of commitment to fight or win the war, but a lack of experience and discipline. To some, going off to war was glamorous--"a rollicking experience." The manner in which men conducted themselves on the field was one of "informality." During attacks, soldiers became tired, and would often stop for "rest and sustenance."<sup>45</sup> It was not uncommon in the confusion of a charge for a soldier to fight with several different outfits in a single day.

Early volunteers considered it their right to determine how long they would fight. After winning engagements early in the war, many would simply get up and go home, figuring they had contributed their share.<sup>46</sup>

Undoubtedly it was difficult for adjutants to maintain accurate records.

Desertions did occur and increased throughout the war. By the end of 1861, twenty-one percent of Confederate soldiers on the rolls were absent. While furloughs, hospitalizations and other reasons accounted for many of these absences a large number was due to desertions. By June 1863, the absentee figure rose to thirty percent, where it leveled off for twelve months. A near forty percent rate of absenteeism was recorded for the fall of 1863, and the June 1864, returns revealed the same. By the end of 1864, the rate increased to fifty-three percent, and continued to increase until the end of the war. It can be deduced then, that at the time General Grant decided to officially halt prisoner exchanges, the Confederacy suffered nearly a forty percent absentee rate.<sup>47</sup>

Several factors led to such astounding figures. Low morale was the key factor and is attributed to defeats on the battlefield, lack of rations and supplies, and poor discipline. Worries about family and loved ones, and just the weariness of fighting also led some to desert. What did not help the situation were several enticements offered by the North for deserting such as freedom to go home or serve for a more worthy cause.

The reports of defeats in the west early in 1862, the losses of Vicksburg and Gettysburg the following summer,

and the fall of Atlanta late in 1864 caused disillusionment not only in the army but throughout the South. By late 1864, the "stimulus of victory, which had been the specific for all the ills of the Army, no longer could be applied."<sup>48</sup>

Worse yet, after the first year of the war soldiers often went into battle on empty stomachs and bare feet. The inadequate transportation system was the chief cause. Bragg had difficulties with discipline in the spring of 1863 when rations were reduced to "bread made of meal and water." In early 1864, General Lee wrote to Secretary of War Seddon that "short rations are having a bad effect upon the men both morally and physically."<sup>49</sup> By 1865, General Lee requested an increase in the rations for the Army of Northern Virginia in order to forestall the rising amount of desertion. Perhaps poor whites who ranked as privates and were new to the army perceived a difference in standards between themselves and officers. A hungry Alabaman complained of his hardships while officers had "'bacon to eat, sugar to put in their coffee and all luxuries of this kind.'"<sup>50</sup> The change in diet may have been demoralizing for some, as it was for one Louisiana private, who, in October 1862, wrote his wife, "Beef and bread is our diet. I dont no what i wood give fore a mess of bacon and collards ore something else, i dont care what so it aint beef . . . ."<sup>51</sup>

Clothing was probably the most critical shortage of supplies other than food. Shoes were lacking for many men

in the army, and even in the bitter winters they often had to go without. Straggling was inevitable when conducting long marches without shoes, and "thinly clad men" exposed to "Tennessee and Virginia winters" became discontented.<sup>52</sup> Little wonder these men were often not present for duty when the next battle began.

The source of the problem was the various supply departments of the military. Abraham C. Myers ran the Quartermaster Department by "red-tape rules and regulations" but failed to properly control his department. Additionally, he never had enough money to purchase supplies and was denied permission to trade cotton for blankets. He had to fight the Ordnance Department over cattle hides; he needed them for shoes for the army, while the latter needed them for leather harnesses and cartridge boxes.<sup>53</sup>

For the most part, the farmers in the South did their part to support the war effort, a large number switching from tobacco and cotton to cereals and other food crops. Unfortunately, the Commissary General fared no better than his counterpart in the Quartermaster. By the autumn of 1862, feeding the army became a major problem. Much of the meat obtained spoiled due to the inadequacies of the transportation system. Supplies dwindled significantly by 1863, and the impressment, or "tax in kind" of agricultural produce met with strong public opposition.<sup>54</sup> Though the army needed food, so did the general public.

Families left behind had already given much of what they had and were now asked to give more. It is not surprising that many a Confederate soldier, while suffering from lack of a proper diet in the army, was even less inclined to see his family go hungry. Many deserted just to go home and take care of neglected loved ones.<sup>55</sup>

Fear for their families' safety from Union raiders, and the impact of rampant inflation in the latter half of the war, filled many a soldiers' minds. These concerns and the desire to simply be back home led many Southern soldiers to walk off the battlefield or just lag behind in hopes of missing the next fight.<sup>56</sup>

Straggling, whether deliberately lagging behind or physically unable to keep up, explained much of the absenteeism. General Lee believed that the majority of stragglers did so purposely as acts of cowardice. Though not in significant numbers early in the war, some dropped back from the ranks in hopes of being captured, because "capture generally meant parole and a ticket home."<sup>57</sup> When Lee crossed into Maryland and approached Sharpsburg, he had lost between 15,000 and 25,000 soldiers of his command due to desertion and straggling.<sup>58</sup>

Casualties and defeats, lack of proper food and clothing, poor discipline, and concern for the safety and well-being of family all led to steadily increasing absenteeism throughout the war.

In addition to problems within the Confederacy, the Union government attracted badly needed men away from the Confederacy and the trials of combat. Of those who outright deserted, many became an asset to the Union. In late 1863, General Grant proposed Confederate deserters whose homes were within Union lines be allowed to return to them or work in the Engineer and Quartermaster Departments of the United States Army, including protection from imprisonment and Union conscription. Abuses of the government's leniency forced the Union to do something with these deserters, and it was decided to enlist many of them into the Federal army and replace Union troops in the northwest. There they fought Indians instead of fellow Confederates. This action released Federal soldiers from frontier duty and sent them to the fight in the south. Following President Lincoln's Proclamation of Pardon and Amnesty of December 1863, flyers circulated within Rebel lines. Offers to pay handsomely for "arms, horses, mules, and other property" were all designed to stimulate Confederate desertion.<sup>59</sup>

Of the almost half million prisoners taken by the Union during the war, 5,452 joined the Union forces, a little over one percent.<sup>60</sup> Known as "Galvanized Yankees," six regiments were recruited from prisons at Point Lookout, Rock Island, Alton, and Camps Douglas, Chase, and Morton.<sup>61</sup> Some prisoners did serve in the Regular Union Army however, and 228 such oath-takers were enlisted at Camp Douglas in

October 1862. Most famous of these Galvanized Yankees was Henry Morton Stanley, the famed newspaper correspondent and explorer.<sup>62</sup> Quite a few prisoners who turned their backs on the rebellion preferred civilian life to military.

President Lincoln applied the precursor to modern day psychological operations by sending many of these back into the South as civilians. Their mission was to spread dissension within the Confederacy in hopes to get many more to give up the cause.<sup>63</sup>

Another large group of Southerners were white southern supporters of the Union. At the outbreak of the war, a very large contingent in the northwestern counties of Virginia were pro-Union, and with help from the United States Army, eventually gained control of their territories and seceded from Virginia, forming present-day West Virginia. As of June 1862, over 11,000 volunteers from those counties were in Federal service, and at the end of the war more than 30,000 white enlistments were credited to West Virginia.<sup>64</sup>

Most other Southern states saw many of their boys cross the line to fight for the Union: 31,092 from Tennessee, 3,156 from North Carolina, 8,789 from Arkansas, 5,224 from Louisiana, 2,000 from Texas, 2,576 from Alabama, and 1,290 from Florida. The total estimate is approximately 100,000, or roughly ten percent of the Confederacy's military manpower.<sup>65</sup>

One resource of manpower readily available during the first year of the war was the number of prisoners taken captive and then either released on parole or exchanged. Prior to August 1862, 405 officers and 9,101 non-commissioned officers and soldiers had been paroled or exchanged.<sup>66</sup> Neither side expected a protracted war and thus made no preparations for housing large numbers of prisoners. By the beginning of 1862, however, both the North and South found themselves with numerous prisoners and realized something must be done. As the South had a large excess of Federal prisoners, Washington was under pressure from public sentiment to effect an exchange.<sup>67</sup> A cartel for exchange was signed in 1862 amid fears by President Lincoln that such an act would officially recognize the sovereignty of the Confederacy. This recognition might gain Confederate legitimacy with the governments of France and England, whom the Confederacy attempted to draw into the war on their side.

Violations of the cartel by both sides resulted in disagreements, and exchanges occurred only sporadically. Two matters brought exchanges to a halt in 1863. First, the South maintained that captured slaves who were serving in the Union army were to be returned to their owners, as they were Southern property to begin with. The Federal War Department backed away from the cartel and threatened to hold Confederate prisoners hostage against the South's

threats. Small, informal exchanges occurred, but after the battles of Vicksburg, Gettysburg, and Port Hudson in the middle of 1863, prisons in the North were quickly filled with new prisoners. The second matter concerned some supposedly improper paroles. General Grant paroled about 30,000 Vicksburg prisoners, and General Banks did the same with 7,000 Port Hudson captives. The Confederacy claimed technicalities of the cartel had been violated by the parole, and promptly declared many of the prisoners exchanged. Grant was incensed when he discovered some of the same soldiers were captured again at Chattanooga. There were at least six such regiments on the rolls for both Vicksburg and Chattanooga.<sup>68</sup>

General Grant had paroled the prisoners at Vicksburg for two reasons; first, he did not want to expend the manpower and resources it would require to move 30,000 prisoners north, and; second, he felt that most of the captured Confederates were tired of war and would probably go home anyway. Capturing some of the same forces again at Chattanooga, combined with President Davis's claim in 1864 that the war would continue "till the last man of this generation falls in his tracks and his children seize his musket and fight his battle," his opinion changed.<sup>69</sup>

Although attempts were made to recommence exchanges, the South's refusal to recognize black Union soldiers as other than retrieved property blocked negotiations. When

the Confederacy finally relented to exchange black freemen but not former slaves, Union Secretary of War Stanton continued to disallow exchanges. He claimed that to exchange white soldiers and not black would be "a shameful dishonor . . . ."70 When General Grant became General-in-Chief, he publicly expressed the same sentiments, and officially halted all exchanges in April 1864.

Privately, General Grant expressed a different opinion. He had informed General Butler that no more exchanges would take place for fear that returning prisoners of war would reenter the Confederate ranks and he would have to fight the same men all over again. He wrote to Butler in August 1864:

It is hard on our men held in Southern prisons not to exchange them, but it is humanity to those left in the ranks to fight our battles. Every man released on parole, or otherwise, becomes an active soldier against us at once, either directly or indirectly. If we commence a system of exchange which liberates all prisoners taken, we will have to fight on until the whole South is exterminated. If we hold those caught, they amount to no more than dead men. At this particular time to release all rebel prisoners North would insure Sherman's defeat, and would compromise our safety here.

Grant's fears were probably well-founded. He had seen evidence of Confederate soldiers returning to the armies of the South after being paroled. If those soldiers had not returned to the ranks and gone home, they would have benefitted the South indirectly since most of them were farmers or skilled laborers, a badly needed resource.

General Butler did not disagree with General Grant's more private reasons for denying exchanges. He did understand however, that if they became public or were in some way connected with official government policy, Grant's decision to halt exchanges would be much less popular in the North. After all, many Union soldiers had died by now in Southern prisons, arousing personal sentiment among many prominent Northerners. Butler suggested the government use the Confederate refusal to exchange negro troops as the basis for stopping the exchanges, redirecting tempers at the South. Pressure on Lincoln and his administration by Democrats and prominent citizens concerned for the welfare of Union prisoners would have grown in intensity and hurt the President's chances in the upcoming election.

Suspect of the handling of the paroled Vicksburg prisoners by Confederate authorities, General Grant firmly believed that to exchange prisoners at this point in the war would only prolong the conflict. Grant visited Butler on April 1, 1864, at Fort Monroe, where Butler briefed him on the status of exchange negotiations. The commander directed Butler "not to take any steps by which another able-bodied man should be exchanged until further orders . . . ." He explained himself by saying that

by the exchange of prisoners we got no men fit to go into our army, and every soldier we give the Confederates went immediately into theirs, so that the exchange was virtually so much aid to them and none to us."

General Grant did not want to exchange any prisoners, and he was surely concerned about the large numbers available for such. In Butler's words,

if they were exchanged it would give the Confederates a corps, larger than any in Lee's army, of disciplined veterans better able to stand the hardships of a campaign and more capable than any other.<sup>73</sup>

Whether or not Confederates in Union prisons would in fact fight again if exchanged or paroled is not known. Moreover, Grant did not know whether they would, but it is worth examining several examples. Many prisoners attempted to escape, and some were successful. More than a few examples exist of officers and soldiers who were exchanged and reported directly to their old units or joined new commands.

Major W. E. Stewart was captured at Port Hudson and spent time at Johnson's Island, Point Lookout, and Fort Delaware, all Union prisons. Upon his escape from Fort Delaware, Stewart returned south and eventually served again in the Trans-Mississippi Department.<sup>74</sup> Berry Benson, a non-commissioned officer captured on a scouting expedition for General Lee, escaped while confined at Point Lookout, and reported to his old company in late 1864, near Petersburg.<sup>75</sup> In June 1863, the United States transport *Maple Leaf*, with about one hundred Confederate prisoners aboard, left Fort Norfolk for Fort Delaware. A plot by the prisoners to capture the vessel was successful, and they landed a little

south of Virginia Beach, where all but thirty who were too sick or severely wounded made good their escape. After making their way to Richmond, the escapees reported to the provost marshal, and shortly thereafter boarded trains for their respective commands.<sup>76</sup>

One member of an outfit belonging to the famous raider John Hunt Morgan was Henry G. Damon. He wrote of his escape from Rock Island prison in the fall of 1864 and subsequent rendezvous with several of Morgan's men in Marshall, Illinois, where they were plotting new raids on Northern cities. After only three months in prison, he believed he weighed less than a hundred pounds, yet maintained the desire to escape and carry on the fight. His group was betrayed and arrested. Placed in Camp Morton, Illinois, a large number of prisoners, including Damon, escaped after a short stay. This time, finding no fellow Confederates in Marshall, he returned to Boone County, Kentucky, and joined a unit headed for West Virginia.<sup>77</sup>

The story of private Joseph A. Hinkle is a fascinating tale of capture, escape, and a four-hundred-mile trek from Illinois to Tennessee--on foot. While in Camp Butler, Illinois, his fellow prisoners "were planning all the time to make their escape . . . ." One method devised was to plant live men in coffins instead of dead men, where they would wait until dark and escape. Some tricked guards and forged passes, the latter being the tactic applied by

Hinkle. Being chased by dogs and hunted by farmers was apparently not enough excitement for one lifetime. After reaching home and "resting up," Hinkle joined Colonel Woodard's Kentucky Cavalry and became involved in "many close places and skirmishes."<sup>78</sup>

Not all escape attempts were successful, but those who tried and failed illustrate there were many more who desired to leave prison and possibly return to the fight. Certainly many more failed than not. As one author put it,

If all the plans for escape from Johnson's Island had been successful, the prison would have been an empty shell with only the breeze to stir the air.<sup>79</sup>

The hard luck story of Lieutenant Charlie Pierce illustrated the many failures which undoubtedly occurred. Seven times Pierce tried to escape, all unsuccessfully, and he was finally paroled at the close of the war.<sup>80</sup> For those who did escape there were often Southern sympathizers nearby to offer assistance. One such person, a woman, helped several of the forty-one who escaped from Rock Island prison during its two years of use.<sup>81</sup> One bold escape plan involved the entire garrison. Captain L. W. Allen of Virginia, while a prisoner at Johnson's Island, recorded elaborate plans for the 1,500-2,000 prisoners to capture the 800 to 1,000-man garrison, and escape from the island. He was moved to Point Lookout before he had a chance to implement his plan.<sup>82</sup>

Many prisoners not bold enough or lucky enough to escape nevertheless maintained their patriotism to the

Confederacy. Others passed up opportunities when they did arise, some due to their sense of honor. Having given his word not to try and escape, Wayland Dunaway, an officer in the 47th Virginia, once dined as a guest of his captors. Afterward, he and several other captured officers were sent to rejoin the other prisoners without an escort. Though they were tempted by the opportunity to flee, their "souls were bound by something stronger than manacles of steel, [their] word of honor."<sup>83</sup>

The spirit of many who were exchanged, when exchanges occurred, remained high as well. In the spring of 1863, Lieutenant R. M. Collins was properly exchanged and released at City Point, Virginia. He promptly reported to Richmond, bought a new uniform, and reported for duty at Camp Lee.<sup>84</sup> Major Henry Kyd Douglas, paroled in March 1864, contacted Richmond several times before finally being exchanged. He immediately reported for duty as General Edward Johnson's Chief of Staff in May 1864, just in time for the Battle of the Wilderness.<sup>85</sup> As late as 1865 exchanged prisoners could be found reporting back to their units. James E. Hall, exchanged in February of that year, received a furlough and went home. Furloughs were shortly thereafter revoked, however, because too many men were absent when badly needed at the front. He dutifully reported to his regiment at Petersburg, Virginia.<sup>86</sup> These attitudes were reflective of President Davis's expectations.

In an address to Congress in August 1862, he expressed his desire for prisoners to be exchanged, which would

speedily restore our brave and unfortunate countrymen to their place in the ranks of the Army, from which by the fortune of war they have for a time been separated.<sup>87</sup>

He harbored no doubt as to the Confederate soldier's place of duty.

At least one prison guard at Elmira Prison would agree. In a letter home he wrote:

Every man of them declares they want the war to close, and the sooner the better; yet they all say we can never conquer them, and some say that rather than yield their slaves and property, they would fight ten years longer.<sup>88</sup>

Grant may have had good reason for concern about continuing exchanges. He had seen abuses of the parole system after Vicksburg, and although he may not have known the sentiments of the officers and soldiers mentioned above, he certainly must have suspected.

Despite these examples of the desire to continue the fight, spirit late in the war was waning, and manpower became a serious issue. Coupled with declining morale in the army and back home, General Grant's suspension of exchanges "hit the South harder than the North."<sup>89</sup> In August 1864, General Lee wrote to Secretary of War Seddon expressing his concern over the lack of reinforcements. The next month he declared to President Davis, "As matters now stand, we have no troops disposable to meet movements of the

enemy . . . without taking them from the trenches and exposing some important point."<sup>90</sup>

In late 1862 and again in late 1863, President Davis suggested to Congress a plan to retain valuable experience in the army. President Davis expressed his fear of losing experienced companies as original members became casualties or left companies at the end of their terms, and the number of new volunteers diminished. In November 1864, the Confederate president reiterated his concern to Congress, prompted by the severe manpower problems pervading the army.<sup>91</sup> Despite the efforts to scrape "the bottom of the manpower barrel," Confederate forces in the spring of 1864 numbered less than half those of the Union.<sup>92</sup>

The South considered two final attempts to regain the advantage in numbers on the battlefield. In late 1864, a fanciful plan to simultaneously free 20,000 Confederate prisoners held in three northern prisons was betrayed in the final moments.<sup>93</sup> Then, in the spring of 1865, the Confederacy seriously considered enlisting slaves into the army to defray the lack of badly needed white manpower. Secretary of State Judah P. Benjamin had addressed 10,000 men and women in a public meeting to get a sensing of the masses. In that speech he proposed that the fight was far from over, but that the South must mobilize once again, sacrificing all that it had. He then suggested that the Confederacy enlist "every Negro who wishes to go into the

ranks on condition of being made free . . . ." When he asked what states would "lead off this thing," the first reply was "Virginia."<sup>94</sup> As late as the winter of 1864, Virginia had generally opposed the enlistment of slaves, but by March and after much heated debate, the legislature of Virginia did take the lead and passed measures authorizing the Confederate government to call upon the state for her able-bodied free male negroes, and twenty-five percent of her slaves.<sup>95</sup>

On March 13, 1865, the Confederate Congress passed an act authorizing the enrollment of 300,000 slaves into the army. The government understood that if the South "attained its freedom," so would the black soldiers.<sup>96</sup> The results were minimal, however, as the bill had come too late. Several companies formed--drilled, trained, and paraded in public to help stimulate further recruiting--but that was as far as it went.<sup>97</sup>

The economic picture was rather bleak. Inflation was out of hand, necessary food items and common supplies for soldiers were more scarce than ever. The morale throughout the South reflected a feeling of defeat. The impact of retaining tens of thousands of Union prisoners in Southern stockades due to the halt of exchanges placed an added burden on the Confederate economy. While the necessities of life were in short supply in the Confederate army, they were even worse in the prisons. Rations were cut

dramatically, as they were in the army. Medicine was declared contraband by the Union, and thus, was in very short supply throughout the South. The Confederacy would have preferred to be relieved of the burden of over 30,000 extra mouths to feed.<sup>98</sup> While they needed wood and the use of sawmills to build barracks for prisoners, priority went to cutting railroad ties. Cotton was still plentiful in the South, but what little industry was available made clothing and tents for the army, not the prisoners. The economy in its beleaguered state during the last year of the war would not support both an army in the field and an army in prison.

Many significant factors led to manpower shortages during the Civil War. Mismanagement by leadership and the lack of discipline of early volunteers created problems in the first year. Losses on the battlefield, decline of morale as the war dragged on, and a choking economy, contributed to the diminishing number of white males in 1862-1863. Further battlefield reverses and the breakdown of prisoner exchange negotiations stripped the South of badly needed men. General Grant surmised this as he pointed out in August 1864:

The rebels have now in their ranks their last man. The little boys and old men are guarding prisoners, railroad bridges, and forming a good part of their garrisons for entrenched positions . . . .<sup>99</sup>

A recapitulation of Confederate prisoners shows 65,943 in Union hands on January 1, 1865. An additional 32,874 were captured and confined after that for a total of nearly

100,000 men. If half that number had been made available,  
Lee's Army of Northern Virginia would have been nearly  
doubled.<sup>100</sup>

### CHAPTER THREE

#### EFFECTS ON THE UNION ARMY

Although the Union forces outnumbered those of the Confederacy at least two to one throughout most of the war, the United States Army had its share of manpower problems as well. Through frustrations with the volunteer system, and abuses of enticements such as bounty-jumping and substitution fraud, the Union was forced to adopt conscription as the South did, though considerably later. The quality of soldier introduced to the army through the draft often left much to be desired. Low morale and general shirking by conscripts lowered the spirit of many of the more stalwart volunteers. Desertion and other forms of absenteeism took their toll. During the course of the war nearly 200,000 Union soldiers were taken captive, many of whom died while in prison; many others were maintained in parole camps awaiting exchange.<sup>1</sup>

With the pool of available manpower drying up in late 1862, President Lincoln signed his famous Emancipation Proclamation on January 1, 1863, opening the floodgates for blacks to serve in the army. However, the public sentiment aroused by General Grant's decision to halt exchanges (the

blame for which was placed on Southern heads), coupled with highly published accounts about tens of thousands of Union prisoners starving and dying in Andersonville and Libby, the push came to arm negroes and let them help fight for their freedom. This chapter discusses the effects Grant's decision had on the Union's ability to fill the ranks, and the Federal government's decision to make up for the lack of white men with black soldiers.

In December 1860, when South Carolina seceded from the United States, there were barely 16,000 men in the United States Regular Army. They were nearly all scattered in company-size units at far-flung posts on the frontier battling Indians. Even if they could have been massed in one location, they were not enough to deal with the upcoming situation.<sup>2</sup>

Thus, while Congress was on vacation, President Lincoln called for 75,000 volunteers to serve for three months, out of an available 3,500,000 to 4,000,000 men fit for service.<sup>3</sup> All types of men volunteered: farmers, mechanics, traders, students, and representatives of all higher professions.<sup>4</sup> Most enlisted out of a sense of patriotism, and the quality of enlistee was generally pretty good. As casualties took their toll on the officer corps, replacements were usually found among the enlisted, for there were many of the same caliber within the ranks.

The states relied at first on their militia regiments. Organized in companies scattered throughout each state, they were drilled mainly in "parade-ground maneuvers."<sup>5</sup> Not having seen combat, and never having trained as regiments or brigades, most units were poorly prepared. Most Northern states progressively increased the size and capabilities of their militia establishments as the conflict ran its course. By the end of 1862, the total number of militia troops across the North was over 125,000, and this number steadily grew until the end of the war when it passed 200,000. While this militia did provide the overall military machine with a large organized reserve, it also accounted for anywhere from 100,000 to 200,000 men not serving with Federal forces on a regular basis.<sup>6</sup>

As in the South, the onus was initially placed upon the Northern states to raise and equip regiments and companies of volunteers for Federal service. State governors had authorized prominent individuals to raise a regiment which they would command as colonels. Also, as in the South, many of the volunteers chose their own officers, usually concentrating on candidates with previous military experience. Where these were not available, they sought men who were prominent in other endeavors.

The first problem which arose with the volunteers was not how to get them, but how to limit the number to a manageable amount. Governor Denison of Ohio, who was asked

to produce thirteen regiments, wrote that "without seriously repressing the ardor of the people, I can hardly stop short of twenty regiments."<sup>7</sup> Bell Irvin Wiley, noted historian, suggests the government should have mobilized those extra volunteers into a national reserve, because "within a year volunteering had slowed down to a trickle . . . ."<sup>8</sup>

Unfortunately, the need for men in 1861 created abuses in the enlistment system. States were given quotas to meet, and in turn the states issued quotas to their congressional districts. Some recruiting agents met their quotas by signing on volunteers who were obviously unfit for service. Frederick Law Olmstead, a prominent author at the time, reported in December 1861, that 58 percent of 200 regiments investigated barely conducted any thorough inspections of recruits. The costs to the government of dealing with these ineffectives was not slight when one considers "wages, rations, clothing, medicine, and transportation." In the last three months of 1861, there were about 4,000 enlistees discharged from the Army of the Potomac, nearly 3,000 of them due to pre-enlistment injuries.<sup>9</sup> These volunteers meant well, but an unchecked system within the War Department led to abuses by local governments in order to meet quotas.

Despite the fervor with which so many volunteers ran to enlistment booths early in the war, the end of the first year and a half's fighting saw the spread of that dreaded

disease--desertion. "Exhaustion and hunger and loss of faith had demoralized thousands of the soldiers," according to one author.<sup>10</sup> By the start of 1863, desertions in the Army of the Potomac averaged 200 per day.<sup>11</sup> Late in the war, the army was not considered a volunteer army anymore, but one of "men who had been made to come or men who had been paid to come."<sup>12</sup>

The draft law of 1863 was the cause for much consternation. When states could fill their quotas with volunteers, they lost none to the draft. Since the draft was unpopular, every district did its best to enlist volunteers. This situation gave birth to the bounty system. Cash bounties offered for enlistment by cities, counties, states, and the federal government made it possible by 1864 for some soldiers to receive as much as a thousand dollars to join the army. Instances of fraud were rampant. Men who had no intention of fighting would enlist, collect the bounty, desert, and reenlist somewhere else under a different name. Even those who did not desert did the army no good; they were not there for patriotic reasons, but for monetary ones.

According to the draft act, a man when called upon could pay his way out with a three hundred dollar commutation fee. Worse yet, he could hire a substitute. As in the South, it became a rich man's war and poor man's fight, as the system discriminated against those without

means. Brokers, seizing the opportunity to make quick money, established businesses where they would provide substitutes for a fee. All too often, the substitutes they found were the absolute dregs of society, or they would take the money offered by the broker, and desert at the first opportunity.

As with the Confederacy, the North had only partially mobilized for war by the First Battle of Bull Run. Most in the North believed this one battle would quell the riotous Southerners and restore order. The failure to mobilize meant the armies marching off to fight during the first year had only makeshift organizations supporting them. Many of the privations suffered by Southern soldiers were experienced by Union troops too, and as was often the result in the Confederacy, desertion increased among the Yankees.

General Buell reported, in June 1862, that 14,000 officers and men were absent from his command. About 180,000 men were on the rolls for the Battle of Antietam three months later, but only 90,000 were available for the fight. Of the remainder, 20,000 were in hospitals while 70,000 were listed as absent. Within two hours after the battle, another 30,000 were added to the absentee list. In July, after visiting General McClellan's army in the east, President Lincoln wrote to that commander wondering what could be done about the 45,000 unexplained absences from his 160,000-man army. Official returns of January 1863,

displayed 8,987 officers and 280,073 non-commissioned officers and privates absent from the total Union force of 918,191.<sup>13</sup> However, these figures most likely included hospitals and furloughs not distinguished in the report. On March 17, 1866, Provost Marshal General J.B. Fry estimated the total number of Union desertions at 201,397. Frederick Phisterer also estimated after the war, a total of 199,045 Union desertions.<sup>14</sup> What is important to this study is that in 1864, the same year in which General Grant ceased exchanges of prisoners, the percentage of absenteeism was at its peak.

Desertion was not the only problem which decimated the ranks of the army and diminished the flow of volunteers. The attraction of better wages in the civilian sector may have hampered voluntary enlistment. In August 1861, a Union private was paid \$13 per month, or \$156 per year. This was increased to \$16 per month, \$192 per year in June 1864. A clothing allowance of \$3 per month was also added. However, in 1861 a common laborer could make \$300 per year, and by 1864, \$400 annually.<sup>15</sup>

Still another factor was the replacement system which was inundated with problems. On July 22, 1861, Congress fixed the regiment of volunteers at ten companies. However, no system was devised for regiments to recruit replacements to fill the ranks. Rather than maintain the strength of veteran regiments, new regiments would be formed

out of new volunteers or draftees. Since states had the power to appoint their own officers, below the rank of general, they formed their own regiments, and thus struck a blow for states' rights.<sup>16</sup> The War Department authorized regiments already in service to actively recruit in their hometown areas for individual replacements and offer a fifty dollar bounty as enticement. However, the volunteers preferred to join new regiments, and the idea of recruiting by veteran regiments was unsuccessful.<sup>17</sup> The War Department preferred to replenish the strength of the veteran regiments, and continued pressure on the states to assign their volunteers in that respect rather than form new regiments. Despite opposition from the states, nearly 50,000 enlistees reported to fill holes in old regiments between August and November 1862. Recruiting during the next two months decreased significantly, and Congress enacted the draft in March 1863. Central control over new recruits and draftees resulted in a significant decline in formation of new regiments.<sup>18</sup>

Of all the types of men who, through some manner or another, avoided serving at the front, the most numerous were the draft evaders. These were the men who chose not to show up at their draft boards at all. Of the 776,829 men subject to conscription during the four drafts from 1863 to 1864, 161,244 men failed to report. The highest rate occurred for the July 1864, draft at 28.5 percent, three

months after General Grant halted prisoner exchanges. Not only were the rates increasing, but the numbers of districts in which evasion rates exceeded 20 percent increased from 19 in July 1863, to 80 in July 1864.<sup>19</sup> This followed the trend of an increase in the number of districts resorting to draft as volunteer quotas became more difficult to fill. It also indicated the increasing opposition to the draft.

Though not officially draft evaders, many potential conscripts took advantage of the exemption clauses. The primary causes for exemption were physical disability, mental disability, or being the sole breadwinner for the family. The regulations specified fifty-one categories of physical disabilities, and draftees were "ingenious at faking illnesses, deformities, and various afflictions . . . ."<sup>20</sup> Many would-be draftees purposefully maimed themselves in order to escape service. Many cases involved having several teeth pulled, to prevent them being able to bite the end off a cartridge, and thus exempting them from service. Other self-inflicted wounds were common.

As is the case of the substitution brokers, there were greedy citizens willing to assist draftees in their search for exemption. Known as exemption agents, they would prepare false documents to be presented to the physician in hopes of exemption--all for a fee.<sup>21</sup>

Aliens, or foreign-born immigrants who had not yet been naturalized, were a prime target for recruiters and

substitute brokers. Many fell prey to being drugged and kidnapped, and then enlisted as substitutes. There were four million foreign-born residents in the United States in 1860, half of whom had arrived since 1850. Their sense of patriotism was not as profound as that of the native citizens. This is borne out in the desertion statistics, showing a larger percentage of foreign soldiers deserted than native born.<sup>22</sup>

Indeed the enlistment and draft systems had their faults, but the cartel of exchange signed in 1862 offered its own unique problems, one of which was later to frustrate General Grant. The parole system established by the cartel was designed to alleviate the governments, North and South, from having to feed and care for prisoners. During the course of the war, many prisoners were released to the other side on parole to await proper exchange. During the first year, prisoners were usually paroled directly after a battle. Since the North had not made provisions for handling these returning prisoners, it was customary to discharge many of them from the army. Since this resulted in the loss of many good men from the service, camps of instruction, or parole camps, were established. The first of these were created on June 28, 1862, and all men on parole were ordered to report to either Annapolis, Maryland, Camp Chase, Ohio, or Benton Barracks, Missouri. Furloughs were canceled and no more issued. The prisoners paroled and

returned after the Battle of Shiloh were the first ones subject to this order. Instead of receiving eight months' back pay and furloughs home, they were sent to Benton Barracks. Most of them were from Iowa and objected to being quartered in Missouri. The camp was ill-prepared to receive them, and there were no officers to ensure their well-being. They complained to General Halleck, initially to no avail. When they were directed to perform guard duty, the Adjutant General of Iowa became involved, concerned they were violating the terms of their parole. Halleck relented, and for the boys still fighting at the front, a rather rosy picture was painted of the typical parole camp.<sup>23</sup>

Unfortunately, the Pandora's box now open, there appeared to be an enticement to get captured, paroled and sent away from the fighting. It was a way to get, as one soldier put it, a "little rest from soldiering." Several of the Union's senior commanders recognized a growing trend. General Buell, in a report on August 8, 1862, referred to the parole system as having "'run into intolerable abuse.'"<sup>24</sup>

After the Confederates captured 4,000 prisoners at Richmond, Kentucky in late August, Governor Tod of Ohio expressed a common feeling in that

the freedom in giving paroles by our troops in Kentucky is very prejudicial to the service and should be stopped. Had our forces in Richmond, Kentucky, refused to give their parole it would have taken all of Kirby Smith's army to guard them.<sup>25</sup>

Secretary of War Stanton echoed those sentiments and went one step further by saying, "There is reason to fear that many voluntarily surrender for the sake of getting home."<sup>26</sup>

Governor Tod then thought to use the 4,000 prisoners at Camp Chase to fight the Sioux Indians harassing Minnesota's borders, much to the consternation of the prisoners.<sup>27</sup> When General Lew Wallace was sent to organize the expedition, he reported to Stanton that "the men refuse to be organized or do any duty whatever."<sup>28</sup> Many of them deserted.

Ten thousand prisoners released on parole from Harpers Ferry in September were sent to Annapolis, but then directly shipped by rail to Chicago. Of the remainder who did not desert enroute, most refused to do any duty. Only after they burned three of the buildings in protest and threatened the entire camp did they receive the attention of Washington.<sup>29</sup>

The problem remained through most of the first three years. It was great frustration to General Grant, as General Butler indicated in a letter on April 1, 1864:

He was further inclined to think that if exchanges were to cease that fact would take away the great temptation to that class of our soldiers . . . who had not enlisted voluntarily into our armies or were induced by great bounties to do so, to surrender themselves prisoners so as to escape the perils of the campaign and be exchanged and go home. If these men came back at all it was only upon the temptation of still larger bounties.<sup>30</sup>

General Grant chose to cease exchanging prisoners in order to deny the South its most needed resource--manpower. However, in doing so, he left stranded tens of thousands of Union prisoners in Confederate prisons at a time when desertion and draft evasion were at their peak within his own army. The combined effects of his own manpower problems, the growing sentiment in the North favoring arming the blacks, and pressure to bring the war to an end, led the North to eventually form black regiments for combat on a large scale. One of the primary reasons was the continued problem with white manpower.

The need for men to fill the Northern ranks forced the Federal Government to consider sources other than the drafting and volunteering of young white males.<sup>31</sup> The first draft in the summer of 1863 called for nearly 300,000 men, but less than 10,000 were actually held to service, and another 26,000 furnished substitutes. Over 200,000 either paid commutation fees or were exempted. The deadline set for the first draft was January 5, 1864, but changed to February and then to April to give the states more time. The result was still poor, and the second draft was enacted in April 1864. This showing was even worse. Less than 13,000 of the 113,000 called for either served or provided substitutes. Over 72,000 paid their commutation or found exemption.<sup>32</sup>

Although the Union Army in the spring of 1864 outnumbered the Confederate forces roughly two to one, many of those on Union rolls were not available for front-line duty.<sup>33</sup> Two major factors explain the difference between the numbers on Federal rolls and those on the field of battle. The first was the absence rate. In the fall of 1863, absenteeism counted for slightly less than 30 percent. During the spring and summer of 1864, the number of absentees exceeded 30 percent.<sup>34</sup> The second reason was the need to man captured garrisons and protect railroads and other supply lines. After the fall of Port Hudson and Vicksburg in the summer of 1863, the Mississippi Valley was under control of the Union. Then in early 1864, General Grant, as commander of all Union forces, turned his attention to destroying the two remaining Confederate armies in the East, those of Generals Lee and Johnston. As Grant and his armies pushed further south,

he left behind hundreds of captured fortresses, towns, cities, arsenals, and other Confederate facilities, all of which had to be secured and protected, sometimes by sizeable garrisons. The lines of communication and transportation routes for movement of supplies had to be kept open, and this required a strong military presence.<sup>35</sup>

While the responsibility for much of this garrison duty was left to the negro regiments, this was no indication that their worth as fighters was devalued. Their validation as capable soldiers and the continued need for fighting men to fulfill Grant's plans to defeat Lee's Army led to a sharp

increase in Negro regiments in the front lines of major battles. Negro regiments saw their most combat in 1864. They participated in more major battles and suffered increasing casualties. This was due in part to their proven fighting ability, but more importantly because of the need for fighting men. Grant's cessation of exchanges in early 1864, had a significant impact on the decline of manpower. The fielding of thousands of negroes in the army proved a successful venture, but the road to that success was a long and arduous one.

The negro response to the war began immediately after the fall of Fort Sumter. Many free negroes in the North offered their services to the Federal Government. On April 23, 1861, Jacob Dodson, a negro from Washington, D.C., wrote to Secretary of War Simon Cameron: "Sir, I desire to inform you that I know of some three hundred of reliable colored free citizens of this City, who desire to enter the service for the defence of the City."<sup>36</sup> Negroes in other cities formed organizations and either offered their services or adopted resolutions and publicly announced them.<sup>37</sup>

Despite the fact that negroes served during the Revolution and the War of 1812, Federal law excluded negroes from serving. Many negroes in the North called for a repeal of the law, such as a group from Boston who even formed a company.<sup>38</sup> The response by Federal and state governments was

negative. Secretary Cameron responded to Dodson that "this Department has no intention at present to call into the service of the Government any colored soldiers."<sup>39</sup> In many cities, answers from the state officials were the same. The cry by many anti-abolitionists and conservative whites "This is a white man's war!" rang throughout the North, much to the chagrin of Northern negroes.

Many negroes in the South proffered their services as well, but the response was again negative. Union officers returned negro fugitives who sought Federal protection. This practice convinced some Southern negroes to volunteer their aid to the Confederacy, in the hopes "that their masters may set them free after the war . . . ." Free colored men in several cities in the South even formed companies and asked to support the Confederacy. New Orleans led the effort by forming the "Native Guards." The Confederate government never enlisted them however, and the "Native Guards" offered their services to the Union Army when it captured New Orleans in the spring of 1862.<sup>40</sup>

Not all Union officers turned away fugitive slaves, however. General Benjamin Butler gathered some nine hundred fugitives at Fort Monroe by July 1861. In response to the flood of fugitives, Congress passed a Confiscation Act on August 6, allowing the "seizure of all property used in 'aid of the rebellion,' including slaves."<sup>41</sup>

The attitude throughout the North had much to do with President Lincoln. Although he opposed slavery for several reasons, including endangerment to democracy on moral grounds, and that it was "contrary to the ideals of the Declaration of Independence," he had no notion "to introduce political and social equality between the white and black races."<sup>42</sup>

The refusal of their services by the Union, and the official position that the war was not about slavery, caused dissension among many of the Northern negroes. Despite groups in cities like Boston, Providence, New York, Philadelphia, Pittsburgh, Cleveland, and Detroit, many negroes felt alienated by the government's refusal of their services.<sup>43</sup>

Although most of the negroes who served in the Union army at the beginning of the war did so as cooks and servants, several light-skinned negroes were able to serve, apparently undetected.<sup>44</sup> Though only a minor contribution, it was indicative of the general desire to fight for the Union and freedom.

As soon as the first rounds were fired, many prominent Northern free negroes increased the demand for emancipation. The most famous, Frederick Douglass, wrote in May 1861, "Fire must be met with water, darkness with light, and war for the destruction of liberty must be met with war for the destruction of slavery."<sup>45</sup> One of Douglass's

premises upon which he based the need to destroy slavery was that slavery greatly aided the Confederacy. He contended that the men who volunteered for service in the North consisted in large part of laborers and skilled workers, which hurt the Union war effort. In the South however, the slaves produced most of the goods needed for the war effort. Many other prominent negroes such as two from New York City, one a doctor, the other a preacher and lecturer, publicly decried slavery, and stated the necessity of its abolishment to winning the war.<sup>46</sup>

Northern negroes gained hope when on August 30, 1861, General John C. Fremont, commanding the Department of the West, declared martial law in Missouri. Rebel guerrillas were attacking trains, destroying bridges, and raiding farms. Under Fremont's edict, all Rebel property was seized and their slaves freed. President Lincoln's order to modify the proclamation to conform with the August 6, Confiscation Act dashed those hopes and increased the criticism of the administration for dragging its feet. Several other Union generals were not so liberal in their views, allowing loyal masters into their camps to search for runaways.<sup>47</sup> Public opinion gained momentum however, and in the spring of 1862, Congress passed articles of war "prohibiting army officers from returning fugitive slaves . . . and prohibiting slavery in all the territories of the United States."<sup>48</sup>

General David Hunter, commanding Union forces on the islands off South Carolina, took matters a little further when he declared martial law in South Carolina, Georgia, and Florida in late April 1862. The next month he declared all slaves in those three states "forever free." Again, Lincoln overrode the decision.<sup>49</sup>

The pressure for emancipation increased, and on July 17, 1862, Congress passed the Second Confiscation Act, proclaiming the slaves of Confederate masters free, as soon as they entered Federal lines. Privately, in July, President Lincoln drafted an emancipation proclamation and briefed his cabinet. However, Secretary of State William Seward recommended the President wait until the Federals secured a significant battlefield victory as the proclamation would appear a desperate move by the Union.<sup>50</sup>

July and August 1862, saw several Union setbacks. The Confederate raider, John Hunt Morgan, captured Tompkinsville and Lebanon, Kentucky, routing the Federals and alarming the citizens of Cincinnati, Ohio, and other major cities in Kentucky. Nathan Bedford Forrest's forces captured Murfreesboro, Tennessee. Federal gunboats fared poorly against the Confederate ironclad *Arkansas* near Vicksburg, Mississippi. In mid-August, Confederate guerrillas captured Independence, Missouri, and Morgan's raiders took Gallatin, Tennessee. In Virginia, General Lee's Army of Northern Virginia began to push back General

Pope's Army of Virginia. Then, on September 17, the Federals fought Lee's army at Antietam. Though casualties were extremely high on both sides and the outcome was not a "clearcut Northern victory," it gave President Lincoln the excuse he needed to release his proclamation.<sup>51</sup> On September 22, 1862, President Lincoln issued his Emancipation Proclamation, declaring that as of January 1, 1863, all slaves in rebel states would be "then thence forward, and forever free."<sup>52</sup>

As can be expected, negroes throughout the North cheered, celebrated, and commemorated January 1, 1863. Frederick Douglass recorded, "We shout for joy that we live to record this righteous decree."<sup>53</sup> Meetings were held in all the major cities. In Washington, D.C., negroes and anti-slavery whites gathered at the Israel Bethel Church and the Contraband Camp, a site established to house the thousands of negro refugees who had fled the South. Boston, New York City, Philadelphia, and Chicago also saw hundreds of negroes attend meetings where they could "thank God and President Lincoln for what has been done . . . ."<sup>54</sup> Henry M. Turner, a free negro in Washington, recalled the reaction on January 1, 1863, by one crowd while a member read aloud the Proclamation: "Men squealed, women fainted, dogs barked, white and colored people shook hands, songs were sung, and by this time cannons began to fire at the navy-yards."<sup>55</sup>

The reaction among Southern whites was to be expected. Outrage and fear dominated the minds of many. Fear of insurrections by slaves, and rapes and assaults on white women filled the rumor mills to overflowing. The South instituted stricter enforcement of laws concerning slaves and free blacks. Many slaveowners wanted to move their slaves farther away from Union lines.<sup>56</sup>

Jefferson Davis addressed the Confederate Congress on January 12, 1863, discussing the final Emancipation Proclamation of January 1.

We may well leave it to the instincts of that common humanity which a beneficent Creator has implanted in the breasts of our fellowmen of all countries to pass judgement on a measure by which several millions of human beings of an inferior race, peaceful and contented laborers in their sphere, are doomed to extermination, while at the same time they are encouraged to a general assassination of their masters by the insidious recommendation 'to abstain from violence unless in necessary self-defense.'<sup>57</sup>

Earlier, in response to the preliminary proclamation of September 22, Confederate General Thomas Holmes, commanding the Trans-Mississippi Department, wrote to Union General Samuel R. Curtis that the South could not be expected to "remain passive, quietly acquiescing in a war of extermination . . . without waging a similar war in return."<sup>58</sup>

The Confederate Congress addressed the issue of retaliation in a joint resolution of May 1, 1863, when it authorized President Davis "to cause full and ample

retaliation to be made" for "any violation of the laws and usages of war . . . ." This retaliation called for the authority to "put to death or be otherwise punished at the discretion of the court," any officers in the United States Army captured while commanding, arming, training, or organizing negroes for military service. Negro soldiers would "be delivered to the authorities of the State or States in which they shall be captured to be dealt with according to the present or future law of such State or States."<sup>59</sup>

As one unidentified Southern explained in a letter to a Confederate newspaper, "If the war long continues, a large negro force may be organized against us. This will be a great gain to the enemy. It will weaken and imperil the South."<sup>60</sup>

Despite the fervor, many Northern negroes and anti-slavery allies realized the edict was not entirely what was hoped for. In fact, the President's Proclamation did not go much further than Congress's Second Confiscation Act of 1862, which declared the freedom of all slaves who escaped from their Confederate owners. When he met with his cabinet on September 22, the President reiterated that his main purpose for fighting the war was to restore "the constitutional relation between the United States and each of the States . . . in which States that relation is or may be suspended or disturbed."<sup>61</sup> In addition, it was clearly

meant as a military measure in Lincoln's mind, as he referred to his authority as Commander-in-Chief three times, and called the edict a "fit and necessary war measure . . . ."62 Additionally, the Emancipation Proclamation did not include the remaining border slave states of Kentucky, Missouri, Maryland, and Delaware. Finally, it continued to place emphasis on the use of negroes in the Union army and navy to "garrison forts, positions, stations, and other places, and to man vessels of all sorts in said service."63

Incorrectly stated by many Southerners, the slaves in the South were not "peaceful and contented laborers." Correctly stated, the war would continue for another two and a half years, and another year before a "large negro force" would be organized.

William Howard Russell, a correspondent for the London Times, traveled through the South during the early part of 1861, and from Louisiana, on June 2, 1861, he wrote:

It struck me more and more . . . as I examined the expression on the faces of the slaves, that deep dejection is the prevailing, if not universal, characteristic of the race.64

George H. Hepworth, Chaplain of the Forty-seventh Massachusetts Regiment wrote in 1863 that "the slaves of the South are not a happy people," and he was impressed by "the universal gloom of the negro character." He explained further in writing, "They are a somber race,---a race who

show that every effort has been made to crush them,---a race whose hearts have a chain and ball on them."<sup>65</sup>

Some Northerners who had gone South to aid, teach, nurse, and preach to the increasing flood of refugee slaves reported many of the slaves were apathetic toward freedom. Slaves crossed into Union lines in Virginia during the first month of the war, and continued until the surrender by General Lee at Appomattox.<sup>66</sup>

Before any large negro army could come to fruition in the North, another substantial obstacle stood in the way--racial prejudice. Several significant race riots during 1862-1863 occurred in major cities of the North. This was precipitated by competition between white and negro laborers and the fear that emancipation would saturate the labor market with negroes taking jobs from whites, and lowering wages. In August 1862, a group of Irish workers entered a tobacco factory in Brooklyn, where twenty-five negro laborers worked, and set it on fire. The employees were rescued by the police, but several negroes in Detroit were not so lucky. In March 1863, "a mob of white men . . . destroyed thirty-two houses and killed several negroes, and left more than two hundred people homeless." In July, New York experienced four days of bloody mob violence. "Dozen of negroes were lynched in the streets or murdered in their homes. The Colored Orphan Asylum was burned to the ground." Negro men armed themselves in some instances with no other

intent but to defend their homes. Negroes were afraid to show their faces, and many had to hide in cellars and in the woods; some were even placed in jail for their own protection. One negro physician related how he and his family, including his invalid daughter, had to escape an angry mob plundering his home of all his belongings, by climbing to the roof.<sup>67</sup>

One of the solutions to the racial prejudice and the need to manage the thousands of fugitive negroes who had fled the South since the beginning of the war was colonization. The idea of colonization of freed negroes had existed among many prominent Northern anti-abolitionists for forty years. The idea had lost momentum prior to the war, but the increase of negro refugees in 1861 rekindled the proposals. Lincoln's belief in colonization "was rooted in his reverence for Thomas Jefferson and his deep admiration for Henry Clay, both of whom held similar views."

One issue that Lincoln took seriously was the idea of emancipated compensation. Offered to those Union and border states where slavery still existed, it proposed that the Federal government would compensate any state which abolished slavery before January 1, 1900, with United States bonds.<sup>68</sup> This offer to the border states was met with "coolness," which bothered the President, because compensated emancipation and colonization were closely linked together. The former policy, he felt, would

strengthen the border states' ties with the Union, and weaken their sympathy for the Confederacy. The latter, he believed, would rid the South of human bondage and "rid the country of the colored man. Slavery and the race problem would thus vanish simultaneously."<sup>69</sup>

In late 1861, the President approached Delaware with the issue in hopes to secure an example state. Delaware refused, and the following March, Charles Sumner from Massachusetts said "he himself would not sponsor the measure." The abolitionist Congressman explained he "was opposed on principle to anything except immediate and uncompensated emancipation." He did, however, promise not to speak publicly against it. Lincoln sent his message to Congress, and his plan was met with high approval by negroes and many abolitionists. The Massachusetts legislature announced its own approval on April 2, 1862.<sup>70</sup>

Lincoln, however, wanted the approval of the border states. On March 10, 1862, he addressed representatives from Kentucky, Missouri, Maryland, Virginia (Western), and Delaware. They listened intensely, asked few questions, and departed. The next month, Congress passed a joint resolution in favor of compensated emancipation despite negative votes from many of the border state Democrats. Additionally, in April, Congress passed the District of Columbia Emancipation Act, abolishing slavery in the capital and appropriating one million dollars with which to

compensate the slaveowners. Though the bill pleased Lincoln, it was not quite what he wanted. He would rather have seen the border states lead the way than the nation's capital.

With the machinery for gradual emancipation established and full emancipation on the political conveyor belt, the problem of colonizing the negroes grew in importance. In the summer of 1862, Lincoln spoke with Joseph Jenkins Roberts, a man of "negro blood" from Petersburg, Virginia. Roberts had been instrumental in the development of the American Colonization Society's settlement in Liberia, Africa.<sup>71</sup> There the Society, begun in 1816, established colonies for free negroes from America. The society's intent was not to abolish slavery, but only to "relieve the slaveholders from the troublesome presence of the free negroes."<sup>72</sup>

The feelings of men like Lincoln, Clay, and Roberts toward the negro race were not injurious. In fact, none of them cared for slavery, and preferred emancipation. Their intent behind colonization was apparently forthright. The President believed it to be in the best interest of the negroes to return them to climates and populations where they would feel more at home.<sup>73</sup> He expressed it best in an address on August 14, 1862, to a group of free negroes from Washington, D.C.:

You and we are different races. We have between us a broader difference than exists between almost any other two races. Whether it is right or wrong I need not discuss; but this physical difference is a great disadvantage to us both, as I think. Your race suffers very greatly, many of them, by living among us, while ours suffer from your presence. In a word, we suffer on each side. If this is admitted, it affords a reason, at least, why we should be separated.<sup>74</sup>

Locations were searched for, and many promoters offered deals to the State Department. Florida, Panama, and other suggestions were considered. Finally, the island of Ile Vache (Cow Island), of Haiti, was chosen on a trial basis.<sup>75</sup> Negroes were not forced to go, but some disappointed by "their status as second-class citizens," preferred to try life as landowners elsewhere.<sup>76</sup> After delays by Secretary of State Seward, who was against colonization, 453 negroes sailed from Fort Monroe aboard the *Ocean Ranger*, in April 1863. The experiment failed from the beginning. During the voyage thirty passengers died from smallpox and housing was not prepared for them upon arrival at Cow Island. Disease spread, the soil was poor, and Haiti was arguing legalities about the contract. Finally, after investigation, the President ordered Secretary of War Stanton, on February 1, 1864, to dispatch a transport to Cow Island to retrieve as many as would care to return. The *Marcia C. Day* discharged 368 negroes in Washington, D.C., on March 20. "The Negro colony had not worked. Seward was right!"<sup>77</sup>

Despite the prejudice, attempts at colonization, the slow crawl of emancipation, and the popular feeling in 1861 and early 1862 that the war was not about slavery, northern views began to change. Talk about emancipation was certainly a significant factor, as were the Confiscation Acts and the battlefield prowess of several unofficial negro military units. Additional persuaders may have been the growing manpower problem and the realization that the war would not end soon.<sup>78</sup>

Before the enlistment of negro troops began in late 1862, negroes made significant contributions to the Union war effort. Approximately 200,000 free negroes "served as laborers, teamsters, cooks, carpenters, nurses, scouts, etc., for the Union forces."<sup>79</sup> On several occasions, they were called upon to fight to protect themselves or their camps. One such example, was reported by Captain James Talbot, Superintendent of Contrabands at Pine Bluff, Arkansas, in October 1863:

By the time the breast works were complete the fight had become general, and calls for water were urgent to supply the soldiers and quench the fire that had caught the cotton-bales from our artillery. I immediately . . . formed a chain of negroes with buckets . . . . At this time a galling fire that opened on them from the enemy killed 1, wounded 3 . . . . Fifteen of them had arms, and were ordered to hold the point along the river; which they did throughout the action . . . .<sup>80</sup>

Many negroes served as spies for the Union Army, and often Union generals gained valuable information from

fugitive slaves. Southern negroes aided many Federal soldiers who escaped from Confederate prisons. Many escaped from Columbia, South Carolina, where the prison was undermanned and without a fence. They were often aided by "the negroes of the region who undertook to guide the prisoners and to furnish them with supplies."<sup>81</sup> Several naval exploits are directly attributable to negroes, one of the earliest of which was that by Robert Smalls, a slave from Charleston, South Carolina. In May 1862, Smalls, his family, and several others appropriated the steamer *Planter*, and made for Union lines.<sup>82</sup>

Most negroes, however, wanted to fight in the Union Army or Navy. They wanted to wear the blue uniform and fight against slavery. The obstacle of racial prejudice was coupled with the belief by many Northerners that negroes, "especially the ex-slaves," would not make good soldiers.<sup>83</sup> Though it was common knowledge that negroes had "fought bravely" during the Revolution and the War of 1812, "it was repeatedly stated and earnestly believed that they would neither enlist nor fight."<sup>84</sup> Many whites in the North did not believe negroes "had the capacity to withstand the rigors of soldiering."<sup>85</sup> As Union private Henry J. H. Thompson explained in a letter to his wife in March 1863:

. . . the negroes are about as contrary as a hog since they have been free & as for fighting they wont be inclined that way I am afraid. I know they are all for getting out of the way when there is a battle afoot or any signs of it.<sup>86</sup>

The changing situation in 1862 softened the views of both soldiers and civilians, however. Throughout 1861, the general impression in the North was that the Union forces had not fared well in most engagements. Battles at Bull Run and Ball's Bluff, Virginia; and Wilson's Creek, and Lexington, Missouri, resulted in defeats for the Federals.<sup>87</sup>

As Northern presses publicized the Union setbacks, abolitionists increased their concern over an "urgent need for some drastic changes."<sup>88</sup>

The white soldiers attitude toward blacks had changed by the spring of 1862, perhaps due to having suffered a year of war. In April, two police officers in Washington stopped to arrest Edward Sam, a negro. The policemen were interrupted by soldiers from two regiments camped nearby and subsequently thrown into the guard house. The Seventy-sixth New York, camped north of the city gave refuge to runaways from Maryland and forbade entrance to the camp to constables. A short time later, when the regiment marched through the city to the boat landing, several negroes went with them. When a deputy arrived with warrants, he was told by members of the regiment that "they would see him in hell before they gave the Negroes up."<sup>89</sup>

One of the other reasons for soldiers' attitudes changing was the enticement of command opportunity. The negro regiments would be commanded by whites, and many aspiring privates saw a chance to become officers. Another

reason was the fact that negroes were destined to be assigned fatigue and garrison duties, freeing whites from these unpleasant chores.<sup>90</sup>

Perhaps the greatest factor which gained the negroes respect was their proven worth in battle. Though not officially sanctioned by the government, early in the war, several regiments were formed by enthusiastic Union generals. In the spring of 1862, Major General David Hunter, recently appointed Commander of the Department of the South, had his own local emancipation countermanded by President Lincoln. But Hunter had already gone a step further by setting in motion the recruitment of negro regiments. Though resorting to force in some instances, he successfully raised one regiment before Secretary Stanton interrupted him. Hunter's reply was interesting:

. . . no regiment of "fugitive slaves" has been or is being raised . . . . There is, however, a fine regiment of persons whose late masters are "fugitive rebels . . . ."

It also gave hope to many advocates of negroes in the military, when his report described the black soldiers.

They are sober, docile, attentive, and enthusiastic, displaying great natural capacities for acquiring the duties of the soldier.<sup>91</sup>

Once again Lincoln had snuffed Hunter's plans, and he reluctantly disbanded the regiment, but left one company intact.

Abolitionists without and activists within Congress increased the pressure on the administration to succumb to

the inevitable. Frederick Douglass had proposed the previous fall, "Let colored troops from the North be enlisted and permitted to share the danger and honor of upholding the Government. Such a course would revive the languishing spirit of the North . . . ." <sup>92</sup> Douglass further iterated his desire to see Lincoln enlist the negro:

We would tell him that this is no time to fight with one hand, when both are needed; that this is no time to fight only with your white hand, and allow your black hand to remain tied . . . a man drowning would not refuse to be saved even by a colored hand. <sup>93</sup>

At about the same time Hunter was organizing and drilling his first negro regiment, Senator James H. Lane of Kansas, was doing the same. He had often addressed the Senate on the subject, once urging, "Give them a fair chance, put arms in their hands and they will do the balance of the fighting in the war." <sup>94</sup> Using the Second Confiscation Act as his authority, Lane proceeded to recruit negroes. He established the headquarters of the First Regiment, Kansas Colored Volunteers by the end of September and one month later they fought in their first engagement. Senator Lane spoke well of them before the fight, and a local newspaper pressed them afterward saying "...the men fought like tigers.." <sup>95</sup>

Though not yet mustered into Federal service by Secretary of War Stanton, recruiting continued and the Kansas regiment saw further action. Five companies of the regiment fought and routed Confederates at Island Mound in

late November and then left for duty at Fort Scott on the Kansas-Missouri border. In January 1863, six companies were accepted into federal service and designated the First Regiment Kansas Colored Volunteers. A few months later, four new companies were added. But the First Kansas colored was not the first, as General Butler had enrolled three regiments in Louisiana during the previous year.<sup>96</sup>

In 1861, two negro regiments had been organized by confederate authorities. These free negroes called themselves the "Native Guards, Colored." The company grade officers were negro, but the field grade officers were white. When General Butler's forces entered the city, and Confederate forces fled, the negro troops remained. The negro officers offered the services of the regiment, but Butler initially declined, preferring "to use slaves as military laborers until Congress, the President, or the War Department decided to arm them."<sup>97</sup>

General Butler believed that his own forces capable of meeting the needs in the area. General John W. Phelps of Vermont and most of Butler's subordinates, had already independently armed fugitive slaves, and obeyed an order by Butler to use the negroes for labor. Phelps maintained that it was improper to employ the negroes in such a manner as "he was not fit for slave-driving or slave-catching."<sup>98</sup> Butler would not release permission as it would be against

orders from the President, and General Phelps resigned his commission.

Events were moving too fast however, and in the spring of 1862, "military manpower needs changed dramatically." In the first part of August, a Confederate attack forced Butler's units out of Baton Rouge, and "left him scrambling for more soldiers." With no help available from the commander of the Union Army, Henry W. Halleck, he reconsidered the offer by the Native Guards. On September 24, 1862, the "first regiment of colored troops ever mustered into the service of the United States" was "established and became soldiers of the United States . . . ." Freedmen and slaves both came forward in large numbers wanting to enlist, and the First Regiment Louisiana Native Guards was followed by the Second and Third on October 12, and November 24, respectively.<sup>99</sup>

Similarly, within weeks of the disbandment of Hunter's regiment, Secretary of War Stanton authorized General Rufus Saxton, Hunter's subordinate, to organize several negro regiments among southeast coast Sea Island Contrabands.<sup>100</sup>

The actions of Hunter, Lane, and Butler in 1862 fueled the fires of abolition and negro military service throughout the North. When Lincoln informed Hunter on August 6, "he was not yet ready to enroll Negroes as

soldiers," The Chicago Tribune printed a front-page editorial on the situation:

With men who have no wish but that the country shall be saved, and who believe of all its evils slavery is the worst, the regret will be sincere, that our national trials thus far have not sufficed to do away with the prejudice which will consult hues and complexion when what is wanted are laborers at the fire.<sup>101</sup>

While Phelps and Hunter felt that arming negroes in the South, whether freedmen or fugitive slaves, would produce an "army of liberation," the War Department saw it as "a stopgap measure to ease a temporary manpower shortage in a few critical military theaters."<sup>102</sup> Since Secretary of the Treasury, Salmon P. Chase had related a change in the attitude of the administration in June, it is hard to understand why in August, Secretary of War Stanton had forced Hunter to disband the regiment. It is even harder to understand why two weeks after Hunter's permission was denied, Saxton was granted authorization to organize troops. Still further perplexing is that Secretary Stanton had in July, made overtures toward enlistment of negroes during cabinet meetings. The noted historian, Dudley Cornish, supposes this disparity in allowing Hunter to fail while two weeks later supporting Saxton on the same project, occurred because Stanton may have felt Hunter was not the right man for the job.<sup>103</sup> Nonetheless, the door had been officially opened for negroes to serve in the army, but how wide remained to be seen.

Sentiments throughout much of the North changed during 1862. "With the Union ranks thinning and with white enlistments falling off, the opposition to arming the negro began to slacken," writes historian, Benjamin Quarles.<sup>104</sup> Lincoln had much to do with the shifting attitudes. On July 13, he attended a funeral of Secretary Stanton's infant son. Conversation between the President and several of his cabinet members also attending, turned toward conscription. His feeling was that he "had about come to the conclusion that it was a military necessity."<sup>105</sup> It can be inferred that he had considered then that eventually he would have to enlist and arm negroes. Neither the Second Confiscation Act nor the Militia Act of 1862, required the President to enlist negroes. His draft proclamation of emancipation submitted to the cabinet first on July 22, and again on September 22, said nothing about arming negroes.<sup>106</sup> He told both a delegation from Indiana in August, and one from Chicago in September, that "to arm the negroes would turn 50,000 bayonets from the loyal border states against us that were for us."<sup>107</sup> Meanwhile, Stanton authorized Saxton on August 25, to recruit 5,000 freedmen as soldiers, and the President did not interfere.<sup>108</sup>

The opinions of Lincoln's cabinet members were at odds as well. Secretary Chase had been pro-abolitionist and in favor of arming the negroes for some time. When the President read his draft proclamation to his cabinet in

July, Chase "wished the language stronger in reference to the arming of the blacks."<sup>109</sup> Secretary of the Navy Gideon Welles had enlisted negroes in the Union Navy as early as September 1861. Because so many fugitive slaves were "hailing warships and asking to be taken aboard, the navy found it necessary to adopt a policy." Welles authorized one of his flag officers "to enlist them for naval service . . . under the same terms and regulations as apply to other enlistments."<sup>110</sup> Attorney General Edward Bates was a border state conservative, and a former slaveholder.<sup>111</sup> Montgomery Blair was from Maryland, also a border state, but had won favor among the abolitionists when he defended the slave, Dred Scott.<sup>112</sup> Secretary of State William H. Seward ran against Lincoln in the 1860 election, but was considered too radical on the issue of slavery. He subsequently became "one of the most conservative cabinet members during the war."<sup>113</sup> In January 1862, Seward "warned that abolition would be construed as a sign of weakness," but the next month, he talked long one day with Lincoln about the "antislavery cards" that the President held in dealing with Britain and France.<sup>114</sup> Finally Secretary Stanton, a former Buchanan Democrat, "became, next to Chase, the most radical member of the cabinet."<sup>115</sup>

The actions of Congress had had their effect too. While the two acts of July 17, 1862, did not require the President to enlist negroes, they did open the door further.

The Confiscation Act authorized the President "to Employ as many persons of African descent as he may deem necessary and proper for the suppression of this rebellion." The Militia Act of 1862 reversed the law of 1792 which barred negroes from enlisting. They were now authorized to be soldiers.<sup>116</sup>

While General Saxton's recruiting on the South Sea Islands continued, the country prepared itself for emancipation. Though the preliminary proclamation made no mention of black troops, it gave abolitionists hope. The cabinet approved it, and during the one hundred days before January 1, 1863, when the edict would take affect, public statements were numerous.<sup>117</sup> Surprisingly, Secretary Bates supported the proclamation, as well as Solicitor-General William Whiting, and the House of Representatives in a resolution praising it on December 15, 1862.<sup>118</sup>

General Saxton mustered in the First South Carolina Volunteers in November 1862, and Colonel Thomas Wentworth Higginson took command. In January 1863, part of the regiment conducted a raid along the St. Mary's River on the border between Florida and Georgia. Colonel Higginson spoke highly in his official report:

The men have been repeatedly under fire . . . and have in every instance come off . . . with undisputed triumph. There is a fiery energy about them beyond anything of which I have ever read . . . No officer in this regiment now doubts that the key to the successful prosecution of this war lies in the unlimited employment of black troops.<sup>119</sup>

Probably more important was the acceptance demonstrated by the white soldiers. In April 1863, the First South Carolina was on Port Royal Island and was to relieve the 55th Pennsylvania Volunteers. When asked about the negro replacements, one member of the 55th answered, "They've as much right to fight for themselves as I have to fight for them."<sup>120</sup>

The Second South Carolina Volunteer Regiment was formed under Colonel James Montgomery. Both regiments conducted several raids into Georgia and Florida, where in March, they captured Jacksonville. At the end of April, General Hunter, commanding the Department of the South, reported positively to Secretary Stanton on the regiments' conduct, stating his "complete and eminent satisfaction . . . ."<sup>121</sup>

The number of supporters for negro enlistment grew in late 1862 and early 1863. Not all of them supported the idea based on abolitionist leanings, though. Some felt the negroes would be physically superior in the subtropical climate in the South. Others felt the South would eventually arm their slaves, so the North should do likewise. Still others believed that negro soldiers would make "better cannon fodder than white ones." Lastly, there was the group which felt they would be able to "relieve white soldiers of burdensome fatigue duties."<sup>122</sup> Indeed, the Emancipation Proclamation leaned toward such types of

service in that it declared freed slaves would be "received into the armed service of the United States to garrison forts, positions, stations, and other places, and to man vessels of all sorts in said service."<sup>123</sup>

Plans for enlistment of negroes "inched forward, pulled by an equalitarian alliance of white and black abolitionists and pushed by white fears of rumored conscription."<sup>124</sup> On March 26, 1863, President Lincoln wrote to War Governor of Tennessee Andrew Johnson, a strong abolitionist:

I am told you have at least thought of raising a negro military force. In my opinion the country now needs no specific thing so much as some man of your ability and position to go to this work . . . . The colored population is the great available and yet unavailed of force for restoring the Union. The bare sight of fifty thousand armed and drilled black soldiers upon the banks of the Mississippi would end the rebellion at once . . . .<sup>125</sup>

On April 1, Lincoln wrote to General Hunter that, "I am glad to see the accounts of your colored force . . . it is important to us that [the negro forces] take shape and grow and thrive in the South."<sup>126</sup>

The changes in recruiting policy demonstrated to the country an even more positive attitude. Before January had ended, the War Department authorized Rhode Island to organize a negro regiment followed by permission to Massachusetts. The 54th Massachusetts was completed by the end of March, and Governor John A. Andrew began recruiting for a second.<sup>127</sup>

General Nathaniel Banks, commanding the Department of the Gulf, began recruiting in Louisiana in the spring of 1863, and received help from a French-English negro newspaper which ran recruiting advertisements. In March, Stanton dispatched Adjutant General Lorenzo Thomas to the lower Mississippi Valley to recruit negroes. While Governor Andrew recruited from all over the North, Stanton urged the midwest states to support the Massachusetts drive. Many decided to form their own regiments, however, and when Andrew completed the 54th and 55th, he stopped taking recruits. The Secretary of War subsequently authorized Ohio, Pennsylvania, Michigan, Iowa, Wisconsin, Illinois, and Indiana to organize and muster negro regiments. On May 22, the War Department established the Bureau of Colored Troops, charged with coordination and administering recruitment of negro regiments. New York was the only holdout, led by its Democratic governor, and did not muster its first regiment into federal service until the end of the year.<sup>126</sup>

By the first part of 1864, the Northern states found it harder and harder to meet the government's draft quotas. The former stream of volunteers was down to a dribble, and industry leaders were concerned that more strict draft laws would decimate their labor force. As a result, the Northern states began a vigorous recruiting program in the recently "liberated" Confederate states.<sup>129</sup>

Authorization came in July, from an amendment to the 1863 Enrollment Act, and recruiting was allowed everywhere except Arkansas, Tennessee, and Louisiana.<sup>130</sup> Unfortunately, recruiting in the Southern states was tarnished by the unsavory practices of recruiters who reverted to impressment, kidnapping, and encouraging bounty-jumping. Several of the Union generals operating in the South, vehemently opposed the work of the recruiters, as they often took negroes away from the labor force supporting the commanders' forces. General Sherman was the most outspoken, relating his frustration to General Halleck in July 1864: "I will not have a set of fellows hanging around on such pretenses."<sup>131</sup> At one point he issued orders to arrest any recruiter that interfered with his military laborers.<sup>132</sup>

Although recruiting by individuals and states expanded rapidly, the relatively small negro population in the North, and competition from Union commanders and Federal recruiting in the South, limited the numbers that the states actually enlisted. Recruiting agents for the Northern states recruited less than 6,000 former slaves. Representing the Bureau of Colored Troops, Adjutant General of the Army Lorenzo Thomas departed for the Mississippi Valley, in March 1863. Banks, commanding the Department of the Gulf, gave Thomas his full support. In less than three months, Thomas raised twenty regiments.<sup>133</sup>

Enthusiastic about the rate of enlistment and sincere in their desire to support the Union war effort, several negroes offered their recruiting services. The Federal Government, especially President Lincoln, turned down such offers. Two Northern negroes, one a "Chicago tailor worth \$30,000," applied jointly to Stanton in December 1863, requesting permission to raise "a regiment or brigade in a shorter time than could otherwise be affected." Stanton ignored them.<sup>134</sup> When the War Department had authorized Governor Andrew to raise a negro regiment in his state of Massachusetts in early 1863, the negro population there was too small. Andrew solicited the help of wealthy abolitionist George Stearns, who in turn hired local negroes to do the recruiting. They recruited all throughout the North and even into Canada.<sup>135</sup>

Initial recruiting was slow due to several reasons. Unwillingness on the part of some Northern negroes to leave well-paying jobs, rumors of Confederate maltreatment of captured negro soldiers, lack of negro advancement opportunities in the army all hampered recruitment. Despite these obstacles, fifty-eight regiments of negro troops were mustered in by October 1863.<sup>136</sup>

Negroes were to get even more opportunities to prove themselves in combat in 1863. In May, two negro regiments participated in the attack on Port Hudson on the lower Mississippi River, where they gave a good account of

themselves.<sup>137</sup> The following month two other regiments headed off a Confederate attack on Milliken's Bend, north of Vicksburg, Mississippi. Again they displayed their ability "to stand up to the Confederate infantry . . . ."<sup>138</sup> They were praised by General Elias Dennis, commanding the District of Northeastern Louisiana, and General Grant wrote of them that, "these men were very raw . . . but they behaved well."<sup>139</sup>

In July, the 54th Massachusetts led an assault on Fort Wagner near Charleston Harbor. After a forced march during the previous night and day, the 54th took the lead of the column and attacked across an open beach in the face of severe musket and artillery fire. The regimental commander, Colonel Robert Gould Shaw, died with 259 of the original 600 of his men. Although the attack failed, the fighting worth of negro soldiers was proven to the nation.<sup>140</sup>

The defeat at Fort Wagner became a "rallying cry" across the North. The bravery of Colonel Shaw and the 54th Massachusetts, served as an example to other regiments. Neither did the desire by the survivors to continue the war diminish. One negro sergeant wrote to his wounded company commander, recuperating at his home:

I still feel more Eager for the struggle then  
I ever yet have, for I now wish to have  
Revenge for our galant Curnel and the spilt  
blood of our Captin. We Expect to Plant the  
Stars and Stripes on the Sity of Charleston.<sup>141</sup>

As historian Joseph Glatthaar summed it up, "Rather than undercut their [the 54th's] commitment, the defeat . . . enhanced the desire of the men to see the war through to its successful conclusion."<sup>142</sup>

The Federal Government needed no more prodding, as they extended negro recruitment into the border slave states during the winter of 1863-64. The administration was convinced and so was Joseph Holt, former Secretary of War. He wrote to Secretary Stanton in August 1863:

that because of the tenacious and brilliant valor displayed by troops of this race at Port Hudson, Milliken's Bend, and Fort Wagner . . . they certainly constitute, at this crisis in our history, a most powerful and reliable arm of the public defense.<sup>143</sup>

Three other events occurred in July 1863, that would have an effect on the course of the war. Vicksburg, the large Confederate bastion on the Mississippi, surrendered to General Grant, rendering 30,000 prisoners to the Union. This gave the North, for the first time, a significant advantage in the number of prisoners held either in prisons or released on parole awaiting exchange. In either case, it was not expected they would fight. Five days later, the final stronghold at Port Hudson surrendered to General Banks, with 7,000 prisoners added to the total. On the fourth, when Grant accepted the surrender at Vicksburg, General Lee retreated from Gettysburg. There the Confederates suffered about 20,000 killed, wounded, and missing, and the Federals about 23,000. For the Union, the

loss of so many troops from the ranks, while at the same time desertion was rising and white volunteer enlistment was almost nonexistent, only helped spur the desire to enlist negroes and put them into battle.<sup>144</sup>

As attention turned to the border states for negro recruitment, New York was about to become the last free Northern state to muster a negro regiment. Governor Horatio Seymour had been against enlistment of negroes since the beginning of the war. However, campaigners for negro troops received permission from the War Department to recruit directly for the Federal Government, and in March 1864, the 20th United States Colored Infantry marched down Broadway in New York City. The attitude of people as they watched the regiment march by was positive: ". . . thousands of people, both white and black, lined the avenues to cheer those black, in Union blue."<sup>145</sup>

While there was an increase in combat duty for negro regiments in 1863, "Negro troops were usually given garrison duty rather than field service." The War Department may have inadvertently ordered this mindset. For instance, in April 1863, Special Order No. 13 directed commanders of negro troops in the Mississippi Valley to use negro troops "to secure abandoned Cotton, and have it conveyed to the Levee for shipment to the Quartermaster at Memphis, Tennessee."<sup>146</sup>

The biggest fear the negro soldiers had in fighting for the Union was the consequences of capture. In April 1863, the Confederate Congress passed a joint resolution declaring that captured negro troops were subject to the "laws of the state in which they were seized." This law virtually signed the soldiers' death warrants. Lincoln retaliated in July by issuing his own order following an eye-for-an-eye policy. The Confederacy eventually modified its policy, but atrocities still occurred. Not many were sold back into slavery, but some were killed instead of taken prisoner. The most famous instance was in April 1864, at Fort Pillow, Tennessee, where attacks by Confederate forces killed 229 of the 262 negro soldiers present. Evidence indicates, after thorough investigation and numerous interviews conducted by the Federal Government, that a number of negro troops were killed after capture.<sup>147</sup> The news of the "Fort Pillow Massacre" did not cause negro soldiers to reconsider fighting, in fact they often fought more valiantly for fear of being captured.<sup>148</sup> "Remember Fort Pillow!" became the negro's war cry.

By October 1864, 140 negro regiments provided the Union army with an added strength of 101,950 men.<sup>149</sup> Negro regiments fought in actions against Nathan Bedford Forrest in Tennessee and Mississippi. Union officers captured by Forrest's cavalry at Athens, Alabama, in September 1864, submitted a statement in which was mentioned the "bravery

. . . of the soldiers in the Fort, both white and Black. It was everything that any officer could wish of any set of men . . . ."150 Colonel Thomas J. Morgan gave a laudatory account of his 14th United States Colored Infantry (USCI) at Fort Pulaski, Tennessee, in late September 1864.<sup>151</sup>

Nine negro regiments fought in the battle to take Fort Blakely in Mobile, Alabama in April 1865. Other regiments fought in Florida, South Carolina, Georgia, and North Carolina. The bulk of negro regiments in Federal service during the last year, however, fought in the Virginia theater against Lee's Army of Northern Virginia, from May 1864, to April 1865.<sup>152</sup>

Thirteen negro regiments fought at Chaffin's Farm, Virginia, in September 1864, where fourteen Congressional Medals of Honor were awarded to their members. Numerous regiments fought elsewhere in Virginia at Darbytown Road, Fair Oaks, Hatcher's Run, and Deep Bottom, all during the month of October. "Twenty-two regiments were at one time or another" engaged in the battles before Petersburg. The Army of the James contained fifteen negro regiments, while the Army of the Potomac had twenty-three. In December 1864, the XXV Corps was formed, made up entirely of thirty-two negro regiments.<sup>153</sup>

The draft in December 1864, resulted in the addition of ten thousand negro recruits. By mid-July 1865, 123,156 negro soldiers were in the army, and comprised 149

regiments. The total number who served during the war was 178,895, representing about nine percent of the total number of Northern troops.<sup>154</sup> Of those, 34,000 were Northern negroes, representing more than fifteen percent of the free black population in 1860.<sup>155</sup>

It is important to this study to look at not only the contribution of negro soldiers in terms of numbers, but in relation to time. Of the total number of battles in which negro regiments participated, roughly eighty-eight percent were in 1864-65.<sup>156</sup>

One reason for the increased negro participation was that after 1863 ended, the Union army had its greatest difficulty raising white troops. In the spring of 1864, desertions and draft evasions were at their highest levels to date. Of the four main calls for troops, three occurred in March, July, and December 1864. Of the total of over 750,000 names drawn, only about 200,000 were held to service, the rest being exempted, discharged, or simply failed to appear. Of those 200,000, 86,724 paid the commutation fee, and thus, did not serve, leaving roughly less than 16% of the total number drawn having served.<sup>157</sup>

The number of losses experienced by negro regiments follow the same pattern as that of battles participated in, which is to be expected. Approximately 1,283 negroes were killed, wounded or missing up to February 1864, when the 8th and 35th U.S. Colored regiments fought at Olustee, Florida.

Between the battle at Jenkins' Ferry, Arkansas, on April 30, 1864, and the 68th U.S. Colored's losses at Fort Blakely, Alabama, in April 1865, negro casualties totalled 4,385. There were roughly, then, three-and-a-half times the losses after April 1864, as there were before. These losses, it should be pointed out, occurred in 16 of the 39 major battles in which negroes fought.<sup>158</sup>

Although the official number of engagements in which negro troops fought is 449, substantially more than the 16 used here, a trend probably exists. Dudley Cornish discounts the Official Army Register of 1867, which listed a total of 250 engagements. That source broke down the number of engagements by year; one in 1862, 28 in 1863, 170 in 1864, and 51 in 1865. Though Cornish points out that the one engagement listed for 1862 is incorrect, and which has already been discounted in this paper, he also points out there were omissions for the other years as well. It is a reasonable assumption then, that although there were over 50 negro regiments serving in the Union Army by April 1864, the majority of combat losses and thus, the majority of actual fighting by negro regiments occurred after April 1864.<sup>159</sup>

Several notable authors' works support this supposition. One pointed out that negro regiments performed "an unusual amount of post and fatigue duty."<sup>160</sup> One such example is outlined in a letter from Lincoln to Major General John A. Dix, dated January 14, 1863:

The proclamation has been issued. Now that we have it we must . . . take some benefit from it . . . . I therefore will thank you in two words for your well-considered opinion whether Fortress Monroe in Yorktown . . . could not . . . be garrisoned by colored troops, leaving the white forces . . . to be employed elsewhere.<sup>161</sup>

When Rhode Island raised the first negro artillery unit in the North in 1863, their first assignment was to construct defensive works on Dutch Island for the protection of Providence. An additional illustration is that of the work of a voluntary brigade of negroes in Cincinnati. During the first two years of the war, Governor David Tod of Ohio refused to enlist negro troops, but in 1863, he had a change of heart when the city appeared threatened by Confederates operating in Kentucky. The service called for however, did not consist of fighting, but of constructing "miles of military roads, miles of rifle pits" felling "hundreds of acres of the largest and loftiest trees," and of building "magazines and forts." Seven negro regiments were organized in the North, specifically to work on labor details.<sup>162</sup> Unfortunately, most negro troops saw more garrison duty than field duty. This practice changed in the summer of 1864. "In mid-June the War Department ordered that negro troops no longer be required to perform the bulk of the labor on fortifications or to do the bulk of the fatigue duties. . . ."<sup>163</sup>

It has been shown that in April 1864, the Union was desperate for soldiers. Problems with desertion and draft

evasion only underlined the decline in numbers of white volunteers. Conscription made up for a relatively small part of the numerous casualties and losses characteristic of this war. Compounding the problem in 1864 was the fact that no more prisoners were returning north by exchange, or on parole to await exchange. The increasing use of negro soldiers to fill the void was a paramount decision of the Civil War, and as Lincoln put it in April 1864, was showing "a gain of quite a hundred and thirty thousand soldiers, seamen, and laborers."<sup>164</sup>

While southern prisons continued to fill in excess of their capacities, such as Andersonville with 30,000 by August 1864, Lincoln continued to defend negroes in the service as being a military necessity. Directed toward War Democrats in August, he warned, "Abandon all the posts now possessed by black men, surrender all these advantages to the enemy, and we would be compelled to abandon the war in 3 weeks."<sup>165</sup> Grant's cessation of exchanges intensified an already difficult union manpower situation and aided the argument for using negro regiments in combat.

## CHAPTER FOUR

### CONCLUSION

This paper has discussed the difficulties the North and South had in fielding and maintaining their armies. It has discussed the problems encountered not only in putting men on the field of battle, but in keeping them there. Desertion, casualties, and prisoners taken by each side effectively reduced manpower strengths at critical times during the war. Works have been dedicated to desertions, and others to casualties. Some works concentrated on the treatment of prisoners, or how prisons were run during the war. Many noted authors discuss how former prisoners often returned to their commands and continued fighting. Many works have also been dedicated to revealing the personal experiences of prisoners during the war. It has been important, however, to examine the effects that the non-availability of those prisoners to their parent armies probably had on manpower problems.

Northern and Southern accounts differ on the numbers of prisoners taken by both sides during the war. Major General E. A. Hitchcock, Union Commissary General of Prisoners, reported in 1866 to Secretary Stanton claiming the North had imprisoned about 220,000 Confederates, while

the South had amassed a total of 126,950. Hitchcock also mentioned that 676 additional Union graves were found which had not been reported.<sup>1</sup> However, Jefferson Davis and his Vice President, Alexander H. Stephens, arrived at different figures. They claimed the South had held 270,000 Union prisoners, but did not dispute the number of Confederates held in the North.<sup>2</sup>

The reason for the disparity was the attempt to both escape blame and point fingers concerning the tremendously high death rates in Civil War prisons. Hitchcock's report states that about 26,500 Confederates and 22,500 Federals died while in prison.<sup>3</sup> Southern writers do not dispute the numbers of deaths, but when compared to the different figures for the total number of Union prisoners, percentages favor the interpreter. North and South agree that Union prisons rendered a 12 percent mortality rate. According to Hitchcock's figures, the death rate in Confederate prisons averaged almost 18 percent, while Davis and Stephens claimed only nine percent.<sup>4</sup> Regardless of the accuracy, the numbers are astounding.

According to the abstracts from monthly returns of principal Federal prisons, the Union held 34,006 Confederates in prison for the month of April 1864. Ten thousand more prisoners were added in May and the number rose to 65,321 for the month of January 1865, but declined steadily until in June, the majority were released.<sup>5</sup> The

Confederate prison at Andersonville, Georgia, tallied 26,367 for the month of June 1864. This number climbed to 31,693 in October. The monthly returns for other Confederate prisons do not exist, but the numbers display the significant amount of manpower which may have been available had exchanges continued as originally intended by the cartel.

It is unreasonable to assume that the outcome of the Civil War depended more on manpower than anything else. Economic factors and the will to continue to fight were paramount elements in the final outcome. In the spring of 1864, Grant told Butler, "Now, the coming campaign [is] to be decided by the strength of the opposing forces . . . ." His proposition was to make an aggressive fight upon Lee "trusting to the superiority of numbers and to the practical impossibility of Lee getting any considerable reinforcements to keep up his army."<sup>6</sup>

After 1861, the ability of the Southern armies to reinforce one another and resupply their soldiers diminished. The North eventually gained control of the Mississippi and secured the western theater. Many Southern leaders believed that offensive maneuvers were required to win and that if they remained on the defensive, the war would be lost. When General Bragg recommended to General Johnston on July 19, 1863, to join forces and concentrate against Grant, Johnston replied, "It is too late."<sup>7</sup> At the

end of 1863, General John G. Foster, paused at Knoxville, Tennessee, to resupply his forces. Opposing him, General James Longstreet's forces were also in want of supplies, but as Longstreet wrote later:

The Confederate departments were not so prompt in filling our requisitions, but we had hopes. The bitter freeze of two weeks had made the rough angles of mud as fine and sharp as so many freshly-quarried rocks, and the poorly protected feet of our soldiers sometimes left bloody marks on the roads.<sup>8</sup>

The individual soldiers themselves often blamed the Confederate government for the lack of supplies at the front for one wrote in his diary: " . . . if they had to draw Soldiers rations while they staid in Richmond I think they would hurry through a little faster."<sup>9</sup>

As a result of battlefield defeats and privations suffered by soldiers, desertions became noticeable after the first winter, and the rate continued to climb throughout the war. After the Battle of Gettysburg, about 5,000 unwounded men left the ranks, unaccounted for.<sup>10</sup> In light of this problem, Lee issued a general order on July 26, 1863, in which he attempted to rally the deserters:

To remain at home in this, the hour of your country's need, is unworthy the manhood of a Southern soldier. While you proudly boast that you belong to the Army of Northern Virginia, let it not be said that you deserted your comrades in a contest in which everything you hold dear is at stake . . . .

By the end of 1864, "lack of victory, loss of hope, hunger, and alarm on the homefront"<sup>12</sup> all caused desertion to

increase to alarming numbers. In December, Lee blamed the desertions on the conditions of his army: "Scant fare, light clothing, constant duty, no recruits have discouraged it."<sup>13</sup>

The Confederate draft forced many soldiers to involuntarily reenlist and many to volunteer to forego the shame of being labeled a conscript. Naturally, many conscripts were not fighting for any particular cause, but because they had to. One Southerner wrote in his journal of a soldier who deserted from his company in March 1863:

I can't see how any man could feel justified in staying at home at such a time. But still if I felt so, and was opposed to the war on principle, I would not fight.<sup>14</sup>

Thousands of once-captured Southerners returned to the ranks and continued to fight for the Confederacy, whether paroled on the battlefield, escaped from prison, or exchanged under the cartel. Stanton strongly believed this to be true. After Grant had paroled 30,000 prisoners after the capture of Vicksburg, in July 1863, many of the same paroled Confederates were found fighting at Chickamauga in September, and Chattanooga in November. About this time Governor Tod of Ohio notified Stanton that many of the Confederate prisoners in camps in Ohio desired to be paroled, not exchanged. But, Stanton refused, saying:

If they are paroled, great complaint is made by the friends of our prisoners in the South. No trust can be placed in their paroles. It is cheaper to guard them where they are, for the rebel government will release them by

pretended law from their parole and force all who do not go voluntarily, back into the ranks, so that we shall simply have to fight and take them again.<sup>15</sup>

Despite the advantages that fighting a defensive war (with a few exceptions) may have offered, manpower was as critical to the Confederacy as food, clothing, and ammunition. General Jubal Early pointed out that the purpose of the Union desire not to continue exchanges of prisoners was to deplete the Southern armies. According to Early, the North did not need to, as they held the advantage in number of prisoners:

The fall of Vicksburg simultaneously with the battle of Gettysburg, gave to the enemy the excess of prisoners, which had hitherto been on our side . . . . He had no inducement, therefore, to continue the exchange as a matter of policy affecting the strength of his army, while a failure to do so would very much cripple us, by detaining from our army the men held as prisoners . . . .<sup>16</sup>

Grant knew many of these Confederate prisoners would return to fight, and he advised Secretary of State Seward, "We ought not to make a single exchange nor release a prisoner on any pretext whatever until the war closes." Predicting the worst from continued exchanges, he espoused further, "We have got to fight until the military power of the South is exhausted, and if we release or exchange prisoners captured it simply becomes a war of extermination."<sup>17</sup>

In August of 1864, Grant mimicked Stanton's reply to Governor Tod in a letter to the Secretary by writing that,

"Exchanges simply re-enforce the enemy at once, whilst we do not get the benefit of those received for two or three months and lose the majority entirely."<sup>18</sup>

General Ethan Hitchcock warned Secretary Stanton on April 1864, that the Confederate Agent of Exchange Colonel Ould had, through illegally declared exchanges, "thrown into the rebel ranks 20,000, if not 25,000 men, who ought to be on parole, to fight Federal troops whose lives are thus exposed individually . . . ."<sup>19</sup>

How many of the Confederates locked up in Union prisons would again take up arms is unknown. It is an interesting comparison, however, to note that by January 1865, there were as many Confederate soldiers in prisons as there were in the field.

The Union experienced similar problems keeping sufficient soldiers in the field. Though the North's economic situation was better than the South's, the Union was initially unprepared to prosecute a lengthy war, as no one expected one. Until the War Department became more efficient and industry caught up with demands, many Union soldiers suffered the privations of army life. After the wave of enthusiasm following First Manassas, the deprivation of life in the army dampened spirits. As soldier Alfred Davenport wrote from Cold Harbor at the end of May 1862, "We are all now in hopes that our trials will soon be at an end . . . which is looked forward to as a shining light & alone

keeps us up." On July 12, after hard fighting at Harrison's Landing, he wrote, "the ringing laugh is now seldom heard, but men go dragging along with their long, sad & careworn faces . . . ."20

Losses of battles affected the troops, as evidenced by one soldier's letter home in February 1863:

The troops are becoming very much disheartened in consequence of recent disasters in the field . . . . Many are deserting 23 men from one Company in this brigade have deserted.<sup>21</sup>

Though morale in the Union army improved after Gettysburg and Vicksburg, volunteers were not plentiful, and the conscripts being received were not the most desirable. The draft regulations were abused by many, and the army saw an influx of substitutes, bounty-jumpers, and others. One soldier wrote of some of these replacements for his regiment:

This lot consisted of substitutes, bounty-jumpers, and one unfortunate conscript, most of this number were thieves and roughs who were engaged in the draft riots . . . . The pride which we felt in the membership of the Thirteenth turned to bitterness at sight of these fellows.<sup>22</sup>

General Grant noted in September 1864, of the conscripts and caliber of replacements he received during the year:

The men we have been getting in this way nearly all desert, and out of five reported North as having enlisted we don't get more than one effective soldier.<sup>23</sup>

The lack of effective replacements, and the diminished number of volunteers led to the requirement to

employ more negro regiments at the front in 1864. After they had proven themselves in battle, many former skeptics changed their opinion. General Horace Porter remembers a conversation between Grant and Lincoln after assaults on Petersburg by negro troops. Lincoln said to Grant:

I was opposed on nearly every side when I first favored the raising of colored regiments; but they have proved their efficiency . . . When we wanted every able-bodied man who could be spared to go to the front, and my opposers kept objecting to the negroes, I used to tell them that of such times it was just as well to be a little color-blind.<sup>24</sup>

The white Union soldiers themselves had a change of heart in regards to negro troops as the war continued. One New Jersey soldier, after observing negro soldiers fight bravely throughout 1864, wrote home to his uncle that,

When I was home I use to run down colored troops as bad as any one but one month in Virginia has entirely cured me of that as they did all the fighting in our corps and fought well.<sup>25</sup>

Manpower, it has been shown, was key to both the North and South. The South required fighting men to simply keep the ranks of the armies filled. Many potential fighting men gave up on the war during the latter half. They either felt they could not win, or desired to return home and take care of their families. Many of those fighting men spent part or all of the war in Union prisons. The North's requirement for soldiers, as well, increased as the Union Army encroached upon the borders of the Confederacy and was forced to occupy more and more territory. The North too was

unable to avail itself of tens of thousands of Union soldiers in Confederate prisons. While Confederate armies dwindled the North finally overcame its problems by enlisting almost 200,000 negro soldiers who fought well for the Union and freedom.

## ENDNOTES

### CHAPTER ONE

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<sup>3</sup>Herbert C. Fooks, Prisoners of War. (Federalburg, Maryland: The J. W. Stowell Printing Company, 1924), 10-11.

<sup>4</sup>Sun Tzu, "On the Art of War," Roots of Strategy, ed. T.R. Phillips (Harrisburg, Pennsylvania: Stackpole Books, 1985), 25.

<sup>5</sup>Percy Bordwell, The Law of War Between Belligerents (Chicago: Callaghan and Company, 1908), 19.

<sup>6</sup>Lee, 349.

<sup>7</sup>Ibid., 349.

<sup>8</sup>Bordwell, 19.

<sup>9</sup>Lee, 352.

<sup>10</sup>William E.S. Flory, Prisoners of War (Washington, D.C.: American Council on Public Affairs, 1942), 15.

<sup>11</sup>Hugo Grotius, Law of War and Peace, trans. Francis W. Kelsey (New York: Arno Press, 1916), 215; Michael Howard, War in European History (Oxford: Oxford University Press, 1976), 43.

<sup>12</sup>Flory, 14.

<sup>13</sup>Bordwell, 26.

<sup>14</sup>Ibid., 34.

<sup>15</sup>Lee, 353.

- <sup>16</sup>Ibid., 353.
- <sup>17</sup>Bordwell, 10, 30.
- <sup>18</sup>J.P. Kenyon, The Civil Wars of England (New York: Alfred A. Knopf, 1985), 87-109 *passim*.
- <sup>19</sup>Flory, 17.
- <sup>20</sup>Ibid., 56.
- <sup>21</sup>Ibid., 54.
- <sup>22</sup>Ibid., 17; Fooks, 150.
- <sup>23</sup>Fooks, 271.
- <sup>24</sup>Ibid., 276-279 *passim*.
- <sup>25</sup>Flory, 17.
- <sup>26</sup>Lee, 354.
- <sup>27</sup>Fooks, 13.
- <sup>28</sup>Ibid., 13.
- <sup>29</sup>Geoffrey Best, Humanity in Warfare (New York: Columbia University Press, 1980), 125.
- <sup>30</sup>Flory, 41, 63.
- <sup>31</sup>Ibid., 267-268.
- <sup>32</sup>Flory, 54.
- <sup>33</sup>Ibid., 94.
- <sup>34</sup>U.S. War Department, War of the Rebellion: Official Records of the Union and Confederate Armies (Washington: Government Printing Office, 1899), II, vol. 4, 266-268, 274-275, 291-292. *Hereafter referred to as O.R.*
- <sup>35</sup>Ibid., 394, 413-414, 420-421.
- <sup>36</sup>O.R., II, 6, 96, 310-311.
- <sup>37</sup>Ibid., 582-583.
- <sup>38</sup>Benjamin F. Butler, Butler's Book (Boston: A.M. Thayer, 1892), 584.

<sup>39</sup>O.R., II, 7, 46-50, 53-56, 62-63.

<sup>40</sup>O.R., II, 7, 618-620.

<sup>41</sup>O.R., II, 7, 816.

<sup>42</sup>Butler, 592-594.

## CHAPTER TWO

<sup>1</sup>Benjamin F. Butler, Butler's Book (Boston: A.M. Thayer, 1892), 593.

<sup>2</sup>James M. McPherson, Battle Cry of Freedom (New York: Oxford University Press, 1988), 792; Butler, 584.

<sup>3</sup>Butler, 593.

<sup>4</sup>Herman Hattaway and Archer Jones, How the North Won (Urbana: University of Illinois Press, 1983), 17; Frank E. Vandiver, Blood Brothers (College Station, Texas: Texas A&M University Press, 1992), 47.

<sup>5</sup>Vandiver, 47; Jones, 10.

<sup>6</sup>Clement Eaton, A History of the Southern Confederacy (New York: The Free Press, 1965), 193.

<sup>7</sup>Richard P. Weinert, "The Confederate Regular Army," Military Affairs, 26, no. 3 (Fall 1962): 97-107.

<sup>8</sup>Eli N. Evans, Judah P. Benjamin (New York: The Free Press, 1988), 117.

<sup>9</sup>McPherson, Battle Cry of Freedom, 318.

<sup>10</sup>Richard E. Beringer, Herman Hattaway, Archer Jones, and William N. Still, Jr., Why the South Lost the Civil War (Athens, Georgia: The University of Georgia Press, 1986), 479; McPherson, Battle Cry of Freedom, 427.

<sup>11</sup>Eaton, 93.

<sup>12</sup>McPherson, Battle Cry of Freedom, 306n; Eaton, 93; Beringer, 472.

<sup>13</sup>McPherson, Battle Cry of Freedom, 478-480.

<sup>14</sup>Joseph T. Durkin, John Dooley - Confederate Soldier: His War Journal (Ithaca, New York: Georgetown University Press, 1945), 4n.

<sup>15</sup>Kenneth Radley, Rebel Watchdog: The Confederate States Army Provost Guard (Baton Rouge: Louisiana State University Press, 1989), 74-100 *passim*.

<sup>16</sup>David M. Potter, "Jefferson Davis and the Political Factors in Confederate Defeat," Why the North Won the Civil War, ed. David Donald (New York: Macmillan Publishing Company, 1962), 82-83.

<sup>17</sup>U.S. War Department, War of the Rebellion: Official Records of the Union and Confederate Armies (Washington: Government Printing Office, 1899), IV, vol. 1, 1038, 1051.

<sup>18</sup>Douglas Southall Freeman, Lee's Lieutenants (New York: Charles Scribner's Sons, 1942), 1:172.

<sup>19</sup>Eaton, 90.

<sup>20</sup>James D. Richardson, A Compilation of the Messages and Papers of the Confederacy (Nashville: United States Publishing Company, 1905), 236.

<sup>21</sup>Eaton, 92.

<sup>22</sup>Ibid., 90; Bell I. Wiley, The Life of Johnny Reb (Baton Rouge: Louisiana State University Press, 1948), 124-125. Hereafter as Wiley, Johnny Reb.

<sup>23</sup>Vandiver, 114; McPherson, Battle Cry of Freedom, 427.

<sup>24</sup>Edward Rogge, "Accommodating Theory to Necessity: The Confederate Congress and Conscription," Southern Speech Journal, 29, no. 2 (1963): 116; Vandiver, 114.

<sup>25</sup>Wiley, Johnny Reb, 129.

<sup>26</sup>Eaton, 91.

<sup>27</sup>Reid Mitchell, "The Perseverance of the Soldiers." in Why the Confederacy Lost, ed. Gabor S. Boritt (New York: Oxford University Press, 1992), 129.

<sup>28</sup>David Donald, "Died of Democracy," Why the North Won the Civil War, ed. David Donald (New York: Macmillan Publishing Company, 1962), 99.

<sup>29</sup>Eaton, 91; Reid Mitchell, Civil War Soldiers (New York: Simon and Schuster, 1988), 161.

<sup>30</sup>Hattaway, 114.

<sup>31</sup>Eaton, 91; Hattaway, 114.

<sup>32</sup>Hattaway, 115.

<sup>33</sup>Ibid., 115; Edward Needles Wright, Conscientious Objectors in the Civil War (Philadelphia: University of Pennsylvania Press, 1931), 9-25 *passim*.

<sup>34</sup>Richardson, 371.

- <sup>35</sup>Eaton, 91.
- <sup>36</sup>Richardson, 541.
- <sup>37</sup>Ibid., 541.
- <sup>38</sup>Eaton, 90.
- <sup>39</sup>McPherson, Battle Cry of Freedom, 603; Eaton, 90.
- <sup>40</sup>Eaton, 211.
- <sup>41</sup>John Christopher Schwab, The Confederate States of America 1861-1865 (New York: Charles Scribner's Sons, 1901), 193; Hattaway, 110.
- <sup>42</sup>Eaton, 92.
- <sup>43</sup>Wiley, Johnny Reb, 127.
- <sup>44</sup>Ella Lonn, Desertion During the Civil War (New York: Century Co., 1928), 231; Eaton, 260.
- <sup>45</sup>Wiley, Johnny Reb, 25-31.
- <sup>46</sup>Donald, 80.
- <sup>47</sup>Beringer, 479-480.
- <sup>48</sup>Freeman, III, 615.
- <sup>49</sup>Wiley, Johnny Reb, 135.
- <sup>50</sup>Donald, 81.
- <sup>51</sup>John A. Cawthon, ed., "Letters of a North Louisiana Private to His Wife, 1862-1865," The Mississippi Valley Historical Review, 30, no.4 (March 1944): 536.
- <sup>52</sup>Wiley, Johnny Reb, 135.
- <sup>53</sup>Eaton, 138-140.
- <sup>54</sup>Eaton, 142.
- <sup>55</sup>Schwab, 200.
- <sup>56</sup>McPherson, Battle Cry of Freedom, 692; Durkin, 272; Schwab, 177-178; Wiley, Johnny Reb, 135.
- <sup>57</sup>Radley, 103.

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[Butler gives the muster date for the First regiment as August 22, 1862, but as Cornish reveals his source as the Official Army Register of the Volunteer Force of the United States Army for the Years 1861-1865, Part VIII, this author is inclined to go with September 24, 1862.

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## CHAPTER FOUR

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